MACKAY, Alexander, 1833-1909, comp.

A Compendium of Official Documents Relative to Native Affairs in the South Island

Volume 1

Wellington, Government Printer, 1873

A microfiche re-publication

Published by

THE ALEXANDER TURNBULL LIBRARY
WELLINGTON, 1990
A Compendium

of

Official Documents

Relative to

Native Affairs

in the

South Island.

Compiled by

Alexander Mackay, Native Commissioner.

Volume I.

Wellington, New Zealand.

1873.
CONTENTS OF VOLUME I.

INTRODUCTORY

ABSTRACT OF PURCHASES MADE IN THE SOUTH ISLAND

PUBLIC DOCUMENTS RELATING TO THE ESTABLISHMENT OF THE COLONY OF NEW ZEALAND

COMMISSIONER SPAIN'S REPORT AND AWARD ON THE NEW ZEALAND COMPANY'S PURCHASE OF THE NELSON DISTRICT

NATIVE-BORDERLINE CLAIM, BANK'S PENINSULA

RETURN OF LAND CLAIMS IN THE SOUTH ISLAND

OPAROU PURCHASE, AND CORRESPONDENCE

a. DUNEDIN AND PORT CHARLES RESERVES CORRESPONDENCE

b. IHAHINEHINE RESERVE, TAIAROA HEAD, CORRESPONDENCE

WAIRAU PURCHASE

KEMP'S PURCHASE, AND CORRESPONDENCE

da. M.R. MANTLE'S REPORT ON THE GEOLOGY OF A PORTION OF THE MIDDLE ISLAND

b. COMPLAINT BY MAIAIA TEHARERE RESPECTING THE INSUFFICIENCY OF THE RESERVES SET APART FOR THE NATIONS WITHIN KEMP'S PURCHASE

c. CORRESPONDENCE RELATIVE TO THE HAKATAMARIA RESERVE, CANTERBURY

d. CORRESPONDENCE RELATIVE TO THE EXCHANGE OF OTHER LAND IN LIEU OF THE KARANUI RESERVE, OTAGO

e. CORRESPONDENCE RELATIVE TO CLAIMS TO KAIPORTE, CANTERBURY

CAPTAIN SPOKE'S REPORT OF THE CAPABILITIES OF PORT COOPER AS A SETTLEMENT

PORT COOPER AND PORT LAY PURCHASES, WITH CORRESPONDENCE

d. CORRESPONDENCE RELATIVE TO CLAIMS TO QUAIL ISLAND, PORT COOPER

WAIPAKU PURCHASE, AND CORRESPONDENCE

CAPTAIN SPOKE'S REPORT ON THE SOUTHERN PART OF NEW MUNSTER

MUSHERU PURCHASE, AND CORRESPONDENCE

PAKAWAU PURCHASE, NORTH OF AGORE, MAAKAREKE BAY

MIDDLE ISLAND PURCHASES, AND CORRESPONDENCE

d. CORRESPONDENCE CONCERNING THE NATIVE RESERVES AT WEST WAIANUI, NELSON

e. CORRESPONDENCE CONCERNING WHITE'S BAY RESERVE, WAIARU

f. ADJUSTMENT OF THE BOUNDARY OF THE NATIVE RESERVE AT WAKAPUAKI

g. CORRESPONDENCE RELATIVE TO THE REQUISITION OF CERTAIN SECTIONS AT MOTUTAPU, MAAKAREKE BAY, IN FAVOUR OF THE NATIVES

PAGE

3
9
49
75
81
95
107
197
201
207
223
227
231
235
237
245
249
261
265
269
271
288

INTRODUCTORY CHAPTERS.

PART I.

Page 3, line 68 from the bottom, for "1844" read "1843".

6, 51 "February" read "January".

10, 10 "1841" read "1844".

14, 3 "restriction" read "restrictions".

15, 2 "float" read "offed".

38, 49 "disallowed" read "disallowed".

19, 20 "Ngati" read "Ngati".

13, 12 from the top, for "unavailable" read "unassailable".

PART II.

Page 1, line at bottom, for "in December, 1843," read "in January, 1840."

22, line 13 from top, for "prayers" read "prayer".

PART III.

Page 28, line 65 from the bottom, for "lost" read "lost."

89, 23 "Ngati" read "Ngati".

40, 21 "Ngati" read "Ngati".

44, 57 "same" read "same time."

45, 68 "the tribes which" read "the other tribes whom."

49, 40 "being" read "were."

52, 7 "had to recourse" read "had recourse."

VOLUME I.

Page 68, line 8 from the bottom, for "and forth" read "and so forth."

71, 33 "1846" read "1846."

50, 6 "transmitted" read "transmitted."

132, 46 "greatest" read "greatest."

167, 8 "appear" read "appears."

168, 52 "fell" read "full."

173, 64 "by New Zealand Coy." read "by the New Zealand Coy."

171, 42 "to Governor" read "to the Governor."

173, 52 "sum of" read "sum of."

176, 67 "if were so" read "if it were so."

190, 84 "are the habit" read "are in the habit."

192, 44 "Taranaki" read "Taranaki."

201, 23 "Waikato" read "Waikato."

201, 2 "Europeans" read "European."

203, 10 "Maoris" read "Maoris."

226, 85 "little" read "litts."

239, 48 "Ngati" read "Ngati."

290, first line at top, for "they" read "this."

286, line 51 from bottom, for "loose" read "lose."

309, first line at top, for "Meere" read "Meere."

203, line 27 from the bottom, for "reserves" read "reserves."

324, 14 "Arapere" read "Arapere."

331, 5 "Ngatipe" read "Ngatipe."
INTRODUCTION.

OBJECT OF THE WORK.

The purchase of land from the Natives of the South Island, and the settlement of reserves for them, whether effected by the New Zealand Company or by the Government, have led to the accumulation of a mass of documents of great value bearing on the original titles of the different properties acquired for the purposes of European settlement; and it was with a view to preserve from oblivion transactions which had led to the extinction of the Native Title over so large an area, that the Native Minister, Mr. McLean, instructed me to collect and classify papers touching on the subject. Such a work of reference was rendered all the more necessary from the fact that the extension of the negotiations, spreading in many cases over a period of years, necessitated the employment of different officers to conclude, from time to time, the various portions of a purchase. It was, therefore, imperative, in order to understand each transaction as a whole, to collate the reports and arrange them in their proper sequence; and this, from the previous state of the scattered documents, could not be done without difficulty.

Notwithstanding the sparse Native population of the Middle Island, many obstacles were encountered in reconciling the conflicting interests of different tribes, and in obtaining, with a clear title, the cession of the extensive tracts of territory required for the use of the in-pouring European population. The investigation of the Native claims to lands under treaty, involved also the question of the rights of the conquered aboriginal race, as well as those of the conquering tribes.

The reports of the officers intrusted with the duties of purchasing land from the Native owners, together with other papers, will fully explain the nature of the several negotiations.

The introductory chapter has been divided under three heads:—

1. A brief sketch of the transactions which took place in the Colony from the date of its discovery up to the promulgation of “The Constitution Act,” in 1858.
2. A narrative of the principal subjects contained in the work.
3. The traditionary history of the Natives of the South Island up to the time of their conquest by the northern tribes under Te Rauparaha.

The portion of the introductory chapter devoted to a summary of past events in New Zealand has been collated from Parliamentary Papers and other sources. The information contained in the official part of the publication has been compiled from Parliamentary Papers, New Zealand Company’s Reports, Appendices to the Journals of both Houses of Assembly, and from a mass of correspondence in the Native Office.

The accounts of the condition of the Natives in early times are derived from information gathered by Dr. Sheldland (formerly Native Secretary), the Hon. Mr. Mantell, Mr. James Mackay, junior, the Rev. J. W. Stack, and from a variety of documents.

In conclusion, it should be stated, as an apology for any defects which may be detected by the reader, that the work has been undertaken under circumstances involving considerable inconvenience, a large portion of the information having been obtained during moments snatched from the discharge of official duties.

ALEXANDER MACKAY,
Native Commissioner.

Nelson, 2nd November, 1871.
AN EPITOME OF THE EARLY HISTORY OF NEW ZEALAND, FROM THE DATE OF ITS DISCOVERY TO THE PROMULGATION OF THE CONSTITUTION ACT, IN JANUARY, 1853.

The discovery of New Zealand has been ascribed to several of the early European navigators. The Spaniards claim for Juan Fernandez the credit of the discovery, because that navigator states, that he left the West Coast of South America in 1577, and after sailing for about a month towards the south-west, reached a fertile and pleasant land, inhabited by brown men clad in woven cloth garments. This country is supposed to have been New Zealand, an island situated at a distance between the two places too great to admit of a sailing- vessel completing such a voyage in thirty days. The claims of De Gonneville are also ascertained by the French; a claims has also recently been put forward, that Arabic geographers were acquainted with the existence of New Zealand. The editor of the *Language* *Review* for December 3rd, 1836, states, in answer to a correspondent "Urban," that "Various Arabic geographical works of the 13th and 14th centuries, (many of which having been translated, as "E. Lecointe," by M. Jacquet, are to be found in the libraries of Tunis and Paris, as well as in various Asiatic Ethnological Societies both English and Foreign) describe New Zealand as a large and very mountains island in the farthest Southern Ocean beyond and far South West of both Bay (Borneo), and Baratille (New Guinea), and as being inhabited by man, and containing nothing but gigantic birds known as kameas." This question is, however, of little importance, since it is generally acknowledged that the first authentic information made public concerning it was derived from the famous voyage of discovery, undertaken by Tasman, in 1642, by the direction of the Dutch East India Company. About this time an idea prevailed among the Batarian traders that a vast continent—a terra incognita—existed somewhere near the South Pole, and as a good deal of interest was taken in the matter, an expedition was fitted out for the purpose of discovering where the unknown land lay, the command of which was given to Abel Jansons Tasman.

Tasman left Batavia with two ships in 1642; and, after discovering the southern part of what is now known as Van Dieman's Land, he voyaged onwards in an easterly direction, in the hope of making further discoveries, and on the 18th December, of the same year, anchored in a bay in the Middle Island of New Zealand. In consequence of the inclemency of the weather, and the hostility exhibited by the natives, Tasman was deterred from pursuing his explorations in this locality, and, on those of his boat's crew being killed by the natives, he named the scene of this disaster "Vuurwagen" (Murderers) Bay, now known as Massacre Bay, in the Nelson Province.

After leaving Massacre Bay, Tasman coasted along the western shores of the North Island, discovering a cluster of islands beyond its northern extremity, which he named Orez Kenge, or Three Kings. The north-western extreme of the North Island he called Cape Maria Van Dieman, after the daughter of the Governor of Batavia; and, after a short stay on the coast, he quitted New Zealand, without having set foot on its shores.

On his return to Batavia, in communicating the results of his expedition, he speaks of the land which he had discovered as being probably a portion of the great southern continent, the existence of which was then a prevailing opinion amongst geographers, and a small portion of its extreme outline Le Maire and Schouten were supposed to have sighted in 1614. Believing, therefore, the shores explored during his recent voyage to adjoin the coast previously discovered, and called Staten Land, Tasman applied the same name to his own discoveries; but a few months after his return, Hendrik Brouwer having ascertained that the Staten Land of Le Maire and Schouten was merely an island of inconsiderable size (off Tarr del Fuego), the designation of New Zealandia was given by Tasman to the new found territory.

Tasman did not revisit New Zealand; and from the date of his voyage to the year 1762, no account exists of any vessel having sighted its shores.
On the accession of George III. to the throne of Great Britain, in 1760, a new era commenced in the history of English maritime discovery. His Majesty speedily manifested a strong desire for the acquisition of geographical and scientific knowledge. The voyages of Byron and Wallis and Cook were undertaken under the immediate auspices of the King; and the discoveries made by them when sailing homeward from the South Pacific, through the Straits of Magellan, and across the Pacific Ocean out of the track of former voyages, strongly awakened the public curiosity respecting the Three Southern Continents.

At this time an expedition was projected for the purpose of verifying a phenomenon of great importance to navigation, which was confidently hoped would answer the double object of solving a geographical as well as an astronomical problem.

In 1767, the Royal Society resolved that it would be proper to send duly qualified persons into some part of the South Sea, to observe the transit of Venus over the sun's disk, which it was calculated would happen in the year 1769; but having no means of deciding the probability of the expedition, they communicated their resolution to His Majesty, requesting his aid in carrying it into execution.

This led to the fitting out of a strong barque of 970 tons, possessing the necessary qualifications for an undertaking of the kind. She was named the Endeavour, and the command of her was given to Lieutenant Cook, who was considered specially qualified for the service, having previously distinguished himself in Canada, and while engaged in surveying the coast of Newfoundland.

The island of Tahiti which had then been recently discovered by Captain Wallis, and called by him George the Third's Island, was deemed the fittest place for the observation. On its conclusion, Captain Cook was instructed to explore the South Pacific Ocean as far as 40° latitude, and if he found no land to proceed westward between 40° and 85° latitude, until he fell in with New Zealand, which he was directed to examine.

The Endeavour sailed from Plymouth, on the 26th August, 1768, and on the 18th of April, 1769, anchored at Tahiti. An observatory, with a scale, for its protection, was setup on 23° 32' 36'' South latitude, and 156° 56' 38'' West longitude; and on the 18th of June, the whole passage of the planet over the sun's disk was observed to great advantage, the sky being cloudless from sunshine to sunset. The first appearance of Venus on the sun was perceived at 8 hours 26 minutes 43 seconds a.m., and at 3 hours 32 minutes 10 seconds p.m., the planet had completed its long looked for transit.

This primary duty being satisfactorily accomplished, Cook proceeded to carry out the remainder of his instructions. After leaving Tahiti he discovered the Society Islands, and then anchored at the Krakatoa. On the 9th of October, 1769, land was seen from the masthead, and the following day four or five ranges of islands arose above the other, with a chain of mountains towering above all were distinctly perceptible.

On the 8th of October, at 5 p.m., Captain Cook cast anchor in the bay of Terarua (Auckland Province), and in the evening went on shore accompanied by some of his party. After some days spent in vainly attempting to conciliate the natives, during which several encounters with them took place, he left this locality, which he named Poverty Bay, and sailed to the southward as far as Cape Kidnappers; from thence he changed his direction and sailed to the northward landing at Mercury Bay, to observe the transit of the planet Mercury, then rounding the North Cape, he proceeded down the western shores of the North Island, sighting Taranaki on his way, which he named Mount Egmont; sailing through the Strait distinguished by his name, he touched at Queen Charlotte Sound, at which place he took possession of the country in the name of His Sovereign, a ceremony he had previously performed at several other places in the North Island.

After Queen Charlotte Sound, he followed down the eastern coasts of the Middle and Southern Islands, without discovering the channel by which they are separated, turned the South Cape, and traced the opposite shores back to Cook's Strait, giving to the north-west extremity of the Middle Island the name of Cape Farewell; he took his departure from thence for England on the 31st March, 1770.

The inutility of the South, or Stewart's Island, was discovered in 1806 by a sealer, whose name is now bearing.

Between 1769 and 1777, Cook visited New Zealand five times, and at each visit introduced several useful plants and animals.

New Zealand remained unvisited by any European ships from 1777 to 1791, when Captain Vancouver touched at Dusky Bay, while engaged on an expedition to survey and explore the north-west coast of America. About this time also an intercourse sprang up with the newly formed British settlement at Sydney Cove, and various whaling and sealing ships began shortly after to frequent these shores.

In 1790, the Governor of New South Wales sent a vessel to the Bay of Islands with orders for Cook, and two of the lines sent to Norfolk Island, where it was hoped they would instruct the English in their work of drawing the description of flax (phorion sasae) which abounds there as in New Zealand. Two natives were accordingly elected on board, and immediately carried away; on arriving at their destination, however, it was found they could not impart any information on the desired point, the operation in question being the peculiar province of the women.

In the early 1790s, the whaling ships of different nations began to touch on the coast. Their intercourse with the natives was marked by great part, great treachery and dishonesty on the other, and a prevailing bloodthirstiness and spirit of vengeance on both sides. Excepting in the sole instance of an English sailor, the only survivor of a shipwrecked crew, who lived for some years among the natives, about the
1814

Establishment of the Church Mission.

Governor Macquarie also took steps for the protection of the natives against the frequent depredations committed by the mariners and seamen of whaling vessels, by appointing Mr. Kendall, who was then proceeding to New Zealand to take charge of the mission station, to be established there, to act as a magistrate in conjunction with two of the native chiefs, who were then on a visit to Sydney. By a proclamation issued at the same time (9th November, 1824), his Excellency prohibited the removal of any natives from New Zealand, without the express permission of the native chiefs, within whose territory the natives, so to be emancipated, happened to reside; such permission to be certified under the hand of Mr. Kendall, the Resident Magistrate. By the same proclamation it was also declared unlawful for any commander to land any person in New Zealand, without the permission of the chiefs, and certified by the Resident Magistrate.

The laws were in force in New Zealand, so far as the notice of the Imperial Government, that Acts of Parliament were passed in 1823 whereby the jurisdiction of the Crown in New South Wales (of which Colony New Zealand was a part of) in 1814 had been proclaimed a dependency) was extended to all British subjects in New Zealand.

All over New Zealand the irregular settlement of Europeans was then making rapid progress, led to numerous instances of crime, for which no punishment could be inflicted. In addition to the spectacle of savage warriors in its most destructive excess, the country exhibited that of constant anxiety as respects the European settler. It was watched with anxiety the unhappy state of affairs then prevailing; feeling that if some steps were not speedily taken, a serious collision would, in all probability, ensue, which would probably terminate in the extermination, or at least expulsion, of one party or the other.

Desirous of maintaining the chiefs and their tribes as an independent people, and fearing that France (whose vessels were frequently hovering about the coast), or some other foreign power might assume the sovereignty of the islands, they beheld with deep regret the intestine warfare, then thriving on the short shore, and rendering them less and less able to resist external aggression.

As a means of meeting these difficulties, they induced the leading chiefs to unite in seeking the protection of Great Britain. Accordingly in 1821, a letter applying for the protection of King William the Fourth, signed with the names or marks of thirteen chiefs, residing in the immediate neighborhood of the Bay of Islands, was transmitted to England by the Rev. Mr. Yate, then head of the mission in New Zealand, and which was supported by the Mission Society in England.

Representations were also forwarded at the same time from the Governor of New South Wales, suggesting the appointment of a person in the character of British resident at New Zealand.

The result of these joint solicitations was the compliance of the Imperial Government with the recommendation for the appointment of a resident. And in 1822, Mr. Busby, a settler in New South Wales, was appointed to that position, with a view to check the enormities complained of, and to give protection to the well-disposed settlers and traders.

The resident was placed on the civil list of New South Wales; his salary of £600 a year, and an annual allowance of £250 for disbursements to the natives, being provided from the resources of that Colony.

He was also made the bearer of the royal answer to the address transmitted to England, on behalf of the native chiefs. In the reply, dated 16th June, 1823, Lord Goderich in the name of King William IV., expressed his Majesty's sorrow for the injuries which the New Zealanders had sustained from some of his subjects, and expressed his determination to do all in his power to prevent the recurrence of such outrages.

This letter and various presents from the King were presented to the assembled chiefs, by Mr. Busby on his arrival in the Colony, in May 1823.

Lieutenant McDonnell was also appointed in 1826, to be a temporary British resident in Hobson, with similar instructions to those of Mr. Busby.

Shortly after his arrival, Mr. Busby applied to the Governor of New South Wales to authorize a visit of a naval officer to the New Zealanders, and when a visit was made, these vessels were both the Islander and the chief, should have their respect were to the chiefs to choose from. The one selected by them, an assigns National flag.

Hobson, with similar instructions to those of Mr. Busby.

National flag.
adorned with stars and stripes, was hoisted, inaugurated, and saluted with twenty-one guns by the Alligator, a British ship of war, then at anchor in the Bay of Islands. An account of these proceedings, dated April, 1834, was transmitted by the Governor of New South Wales to the Imperial Government. Lord Aberdeen, in reply, (dated December, 1834) approved of them in the name of the King, and stated, that the Admiralty had instructed their officers to give effect to the New Zealand Registers, and to acknowledge and respect the national flag of the Treaty.

During the years immediately following the appointment of the Resident, the wars of the natives continued with all the aggravation of destructiveness occasioned by the use of firearms; outrages were committed by the white settlers upon each other, and upon the natives, and by the natives upon them. European vice and diseases spread among the diminished native population, and according to the testimony of many eye-witnesses who have given evidence on the subject, including that of the most intelligent of the missionaries, the number of the aborigines visibly decreased.

In 1836, some attempt was made to establish some kind of authority in New Zealand. The immediate cause that led to it appears to have been the alarm with which Mr. Busby was inspired, on receiving from a person styling himself Charles, Baron de Thierry, Sovereign Chief of New Zealand, and King of Nukuhiva, (one of the Marquesas Islands,) a formal declaration of his intention to establish in his own persons an independent Sovereignty in New Zealand, in virtue of an alleged purchase made for him in 1837, by Mr. Kendall, of three districts on the Hokianga river. The Baron stated that he had declared his intention to the King of France and to the President of the United States, and that he was then waiting at Otaheite, the arrival of an armed ship from Panama, to enable him to proceed to the Bay of Islands.

On receipt of this document, Mr. Busby issued an official address, to his countrymen in New Zealand, dated Bay of Islands, 10th October, 1836, wherein he informed them of the purport of the Baron’s communication, and, after advertising to the elaborate exposition of the views of the said Baron, he stated his intention of taking immediate steps for calling together the chiefs, and was to inform them of the proceedings on their independence.

A week after the issue of the above address by Mr. Busby, thirty-five chiefs residing in the northern portion of New Zealand, were induced to sign a paper, by which they declared the Independence of the whole of New Zealand as one nation, formed themselves into an independent state, with the title of the United Tribes of New Zealand, agreed to meet in Congress for the purpose of framing laws for the preservation of justice, and other ends, and invited the southern tribes to join the Confederation of the United Tribes.

A new Government was found so unequal that no meeting of the Confederation chiefs ever took place, and was either the disobedience of the declaration of independence, or the national flag ever known to any natives out of the district in which they originated.

The much dreaded Baron de Thierry, did not arrive in New Zealand until 1838, having touched at Sydney on his way; from there he issued another address to the white population of New Zealand, in which, while announcing his intention of visiting the country in a peaceable attitude, he moderated his claim to sovereignty. Early in that year the Baron landed in his dominions at Hokianga, with ninety-three Europeans, the majority being men picked up in the streets of Sydney.

The chiefs laughed at his “sovereign rights and powers,” and disavowed his territorial claims on various grounds. Ultimately, a limited grant was made to the Baron, by Nene (one of the chiefs of whom the extensive purchase above referred to was stated to have been made), and his tribe; and there the Baron eventually settled down, with no other retainers, than his immediate family; the sixty persons who had accompanied him from Sydney having returned thither, or sought employment elsewhere, finding the utter failure of the expectations which he had led them to entertain. Of these some were supported solely by the charity of the missionaries.

In 1838, the evils of continued anarchy in New Zealand became more aggravated, in consequence of the desultory colonization then taking place at various spots along its coast, and a petition to the Crown for protection was drawn up and signed by the missionaries, and some of the most respectable of the European settlers. The merchants of London, in conjunction with the principal house engaged in the South Sea trade, also signed a memorial to the Crown setting forth the evils of such a state of things.

In the same year a Committee of the House of Commons, on aborigines, met before the British public, in a form to make a deep impression, a glorious picture of the state of things in New Zealand.

In the month of May, 1837, Sir Richard Bourke while awaiting the receipt of a promised parliamentary enactment relative to these Islands, heard that a war had broken out between two tribes in the vicinity of the Bay of Islands, by which the safety of the British islands, and, indeed, the whole coast, was endangered. He accordingly despatched Captain Hobson, then commanding H.M.S. Rattlesnake, for the protection, at the same time desiring him to report his opinion on the present state of New Zealand, and the means of protecting with £6,000 at least possible overt interference the common interests of the natives and of the British settled amongst them. In compliance with this request, Captain Hobson in an able document, dated August, 1837, after adverting to the decrease of the natives and the simultaneous increase of the British subjects, he speaks of the latter as every day acquiring considerable possessions of land, and suggests that certain remedial action should be taken to avert the disastrous consequences likely to ensue from the conduct of many of the Europeans, towards the natives.
While her Majesty's (Queen Victoria) Government were considering the measures to be adopted for the protection and government of British subjects in New Zealand, the necessity for so doing became more evident as the European population continued to increase. Almost from the first establishment of the mission stations, many respectable families had taken up their abode in various localities. At Kowenwa, in the Bay of Islands, they had gradually augmented to several hundred of both sexes, and a regular town had been formed containing a church, and two or three hotels. And at a public meeting held there in May, 1838, to determine the best means for affording protection to, and regulating matters connected with the welfare of the residents both European and native, the formation of a society called the Kowenwa Association, was decided on, whose authority was to extend from Matauri to Brind's Bay. The resolutions adopted were fifteen in number, all of which partook strongly of the spirit of Lynch law.

Shortly after the formation of a Provisional Government at Kowenwa, steps were taken by her Majesty's ministers for the establishment of some competent authority within the limits of New Zealand. Early in 1838, a Select Committee of the House of Lords was, on the motion of Lord Devon, appointed to inquire into the state of New Zealand, and collect a mass of information which had too fully confirmed previous representations of the deplorable condition of the islands, and further exposed the necessity of subjecting the materials of disorder to the restraints of law.

In the latter part of 1838, Lord Glenelg, Secretary of State for the Colonies, suggested the appointment of an officer invested with the character and powers of a British Consul, and subsequently advised that certain portions should be added to New South Wales, as a dependency of that Colony, and that the officer selected for the above-named purpose should likewise receive an appointment as Lieutenant-Governor of the dependent settlement then contemplated.

These propositions were assented to by the Secretary of State for Foreign Affairs, and by the Lords of the Treasury, on the express condition that the establishment of such portions of New Zealand, or any assumption of authority beyond that attaching to a British Consulate should be strictly contingent upon the indispensable priority of the territorial cession having been obtained by amicable negotiations with, and free concurrence of, the native chiefs. (Parliamentary Papers of 6th April, 1840, p. 84.)

Accordingly, in June, 1839, letters patent were issued, authorizing the Governor of New South Wales, to include within the limits of that Colony, any territory which might be acquired by her Majesty; and successive tribes of the group of islands, commonly called New Zealand, lying between 36 deg. 40 sec. and 47 deg. 10 sec. South latitude. In the following month, Captain Hobson received the appointment of British Consul in New Zealand. In the instructions addressed to him by the Marquis of Normanby, who then presided over the Colonial department, his Lordship stated that her Majesty's Government had not been unaware of the national advantage likely to be derived from the colonization of New Zealand, but had been restrained from engaging in such an enterprise by deference to the views expressed by the opinion of the House of Commons in 1826; and, on the other hand, her Majesty's ministers still retained in unexercised force, though compelled to alter their course by circumstances, over which they had no control. After adhering to the fact, that a very considerable body of her Majesty's subjects have already established their residence, and effected settlements in New Zealand, and that many persons in England had formed themselves into a society, having for its object the acquisition of land, and the removal of emigrants to those islands, a proceeding which necessitated the interposition of the Imperial Government.

Lord Normanby remarks, "I have already stated that we acknowledge New Zealand as a sovereign and independent state, so far as at least it is possible to make this acknowledgment in favour of a people composed of numerous dispersed, and petty tribes, who possess few political relations to each other, and are incompetent to act or even to deliberate in concert. But the administration of their rights, though inevitably qualified by this consideration, is binding on the faith of the British Crown. The Queen, in common with her Majesty's immediate predecessor, disclaims for herself and for her subjects, every pretension to seize on the islands of New Zealand, or to govern them as a part of the dominion of Great Britain, unless the free and intelligent consent of the natives, expressed according to their established usage, shall be first obtained. Believing, however, that their own welfare would, under the circumstances I have mentioned, be best promoted by the surrender to her Majesty of such possessions, and little more than nominal and persuasive, that the benefits of British protection, and of laws administered by British judges, would far more than compensate for the loss by the withdrawal of independent, which has yet to be established, it is necessary that her Majesty's Government have resolved to authorize you to treat with the aborigines of New Zealand, for the recognition of her Majesty's sovereign authority over the whole or any parts of those islands which they may be willing to place under her Majesty's dominion. It is not however, to the mere recognition of the sovereign authority of the Queen that your endeavors are to be confined, or your negotiations directed. It is further necessary that the chiefs should be induced, if possible, to consent with you as representing her Majesty's Government, to make the lands on which they shall be settled, either gynastically or otherwise, except to the Crown of Great Britain."

Captain Hobson was further directed to announce immediately on his arrival in New Zealand, "that her Majesty would not acknowledge as valid any title to land which is not
either derived from or confirmed by a grant to be made in her Majesty’s name, and on her behalf.”

With regard to the conduct to be maintained towards the aborigines, in dealing with them for their lands, Lord Normanby enjoins not merely the observance of the principles of sincerity, justice, and good faith, but adds — “Nor is this all. They must not be permitted to enter into any contracts in which they might be the ignorant, and uninformed authors of injustice therein. They will not, for example, cede any territory, the retention of which by them would be essential or highly conducive to their own comfort, safety, or subsistence. The acquisition of land by the Crown for the future settlement of British subjects, must be confined to such districts as the natives can alienate, without distress or serious inconveniences to themselves. To secure the observance of this, will be one of the first duties of their official protector.”

In December, 1839, Captain Hobson reached Sydney. Here, the paths of office as Lieutenant-Governor, which is one may be acquired in sovereignty by her Majesty, her heirs or successors, within that group of islands in the Pacific Ocean called New Zealand,” were administered to him by the Governor of New South Wales. Having received his commission, he sailed from Sydney accompanied by a Treasurer, a Collector of Customs, a Police Magistrate, two clerks, a sergeant, and four troopers of the mounted police of New South Wales. On arriving at the Bay of Islands, on the 30th December, 1840, he immediately issued an invitation to all the British subjects to meet him on the following day, placed, on his return to Kororareka, and circulated notices printed in the Maori language, that on the 6th February, he would hold a meeting of the chiefs of the confederation, and of the chiefs who had not yet signed the Declaration of Indipendence, for the purpose of discussing a treaty to be proposed for their consideration.

At a meeting of the settlers on the following day, two commissions were read, one under the Great Seal, extending the limits of New South Wales to include New Zealand; the other under the Royal signet, appointing Captain Hobson Lieutenant-Governor over such portions of New Zealand as might be ceded to him. Two proclamations, framed by Sir George Gipps, were afterwards promulgated, the first asserted her Majesty’s authority over all British subjects in New Zealand, and the second announced the illegality of any title to land not confirmed by the Crown.

The Treaty of Waitangi.

The next duty Captain Hobson was called on to perform was to obtain the assent of the natives to the terms of a treaty, acknowledging the Queen’s authority over New Zealand. As the work would admit of no delay, an assembly of the natives was convened five days after the arrival for the purpose of laying the question before them. The spot chosen for the conference was where the dawns river falls into the sea. The 6th of February was selected, on the 6th February, a large number of chiefs, with their followers, gathered together.

After the treaty had been read aloud and explained to the assembled natives, Captain Hobson invited the chiefs to ask explanations on any point they did not comprehend. Whereupon twenty or thirty addressed the meeting, and opposed the proposition with great violence, with such effect and so clearly that an unfavorable termination of the conference was anticipated. At this critical juncture the celebrated Waia Nana, who afterwards proved such a staunch ally to the Government, arrived with some Hokianga chiefs, and addressed the meeting, completely turning the tide of feeling among the natives. He called to the minds of his countrymen their degraded position before the arrival of white men among them; told them they could not govern themselves without bloodshed; besought them to place confidence in Captain Hobson’s promises, and acknowledge the Queen of England as their sovereign by signing the treaty.

The debate had produced much excitement, twenty-four hours were given for deliberation. The next day, without further discussion, forty-six chiefs signed the treaty in the presence of a large concourse of natives.

British sovereignty proclaimed.

From Waitangi the treaty was taken about the country by missionaries and Government agents for signature. Captain Hobson took it in person to Hokianga, and up the Hioc Thames. Other missionaries were despatched with it to the eastern and western coasts of the North Island, to Cook’s Strait, Stewart’s Island, and the Middle Island. Before the end of June, 528 signatures had been obtained to it.

The treaty placed on the Treaty of Waitangi by the natives was that the shadow of the land was to go to Queen Victoria, the subsidence to remain with them. The principal chiefs of the Middle Island were like those of the Northern, most particular in their inquiries as to whether the document which they were requested to confirm would give any right to the Crown to deprive them of their lands. Some were even averse to receiving presents after signing it, lest they should give encouragement to say such pretension.

On the 21st May, 1840, the Governor proclaimed the sovereignty of her Majesty over the North Island and Murawai of the treaty of Waitangi, and over the Southern Islands on the ground of discovery.

Many different opinions were entertained concerning the measures that led to, and terminated in the treaty of Waitangi, some parties considering them to have been injudicious and unwise, because New Zealand before the conclusion of that treaty was already a British dependency. This view of the case is supported on the following ground, viz, that Captain Cook the first European who set foot on its shores, took possession of both islands in the same manner, that it was not until after the formation of New South Wales was formed, New Zealand was included within the jurisdiction of Captain Philip, its earliest Governor; that in 1814, and in 1819, Governor Musgrave claimed and exercised authority there by appointing Magistrates, and that in 1832, a British resident was
stationed at the Bay of Islands. The recognition by the British Government of the registers of vessels belonging to New Zealand, and of a distinctive flag, is asserted to be no more than had been previously done in the case of British possessions, and with regard to the Declaration of Independence in 1835, the remark of Sir George Gipps is cited, that it was simply "a paper palli with a flag blown by Mr. Busby at the Bar of the House." On the other hand, it is contended that the rights of the Crown in New Zealand,—at least primarily,—have not been so conclusively, and even as on the treaty of Waitangi. The chief arguments thus used to enforce this opinion will be found succinctly stated in a memorandum transmitted by Lord John Russell, to Viscount Palmerston, bearing date 16th of March, 1840. It is there stated that the British Statute Book has in three distinct enactments, declared that New Zealand is not a part of the British dominion; and, secondly, that King William IV, made the most public, solemn and authentic declaration which it was possible to make, that New Zealand was a substantive and independent state, by acceding to the right of the Crown to the Crown, and by demanding that the several islands, and particularly those of the New Hebrides, be recognized as independent states; and still more by formally and practically acknowledging their national flag, and giving effect to the registers of their vessels. With regard to the right acquired by the proceedings of Captain Cook, it has been urged, not only that it was, at the utmost, "a right inchoate, good as against third parties, but not as against the native owners of the soil," but that even if England had thereby become possessed of any kind or degree of dominion over these islands, such assumption had been wholly unavowed and arrogated by the subsequent unqualified admission of the national independence of New Zealand.

A charter was "estating the Colony of New Zealand, and for erecting and establishing a Legislative and an Executive Council, and for granting certain powers and authority to the Governor for the time being of the said Colony," was signed by the Queen on the 18th of November, 1840. This charter or letters patent defines the Colony of New Zealand to consist of the group of islands lying between 34°30' and 45°30' and 176° East longitude, and declared that the three principal islands, Northern, Middle, and Stewart, should henceforth be designated and known respectively as New Ulster, New Munster, and New Leinster. These documents were published in the Colony on the 1st May, 1841.

The Legislative Council was to consist of not less than six persons, nominated by the Governor, and holding office during its pleasure, with power to make laws and ordinances for the Colony, concomitant to instructions from the Queen in Council; the Executive Council to be composed of three of the principal members of the government, to assist and advise the Governor, who was to be nominated by the Crown. The first meeting of the Council was held at Auckland, in May, 1841.

Captain Huxton was appointed Governor and Commander-in-Chief of the new Colony, and instructions were issued under the Royal sign manual, dated the 5th of December, 1840, prescribing his powers and duties, and those of the Legislative Council.

A Civil List was drawn up, fixing the salary of the Governor at £2,100; that of the Chief Justice, at £1,200; Colonial Secretary, £600; Surveyor-General, £600; Collector of Customs, £300; Attorney-General, £200; and of the Colonial Treasurer, and the Surveyor-General, to be increased £10 per annum, till they respectively reached £800; and that of the Attorney-General, to be increased £20 per annum till it reached £500. The expenses of the above establishment were estimated at £6,000; public buildings and works, £6,000; contingencies, at £2,000; total, £8,000. To meet these charges, it was expected that £10,000 would be raised from duties levied in New Zealand, and £2,000 from £4 from £20,000 Europeans; £3,000 to be raised with the Crown at £10 per annum, and £6,000 to be voted by Parliament. The chief sources of revenue expected were duties on imports, lands, gold, tobacco, tea, coffee and sugar, and assessments on uncultivated lands in the hands of private individuals.

Captain Cook was the first who suggested the regular colonization of New Zealand, but no attempt was made to carry his recommendation into effect, though many schemes for the purpose were formed by various persons. The earliest scheme was suggested by the celebrated Benjamin Franklin, who, in 1771, published proposals for forming an Association to fit out a vessel by subscription, to proceed to New Zealand with a cargo of such commodities as the natives were most in want of, and bring back in return as much of the produce as would defray the expense of the adventure. The main object of the expedition, however, was stated to be to promote the improvement of the New Zealanders, by opening for them a means of intercourse with the civilized world.

In 1838, a Commercial Company was formed in London, under the auspices of the late Earl of Durham, which dispatched two vessels to New Zealand, and acquired land at Hauraki, in which to establish a settlement. The land was purchased by a Captain Hard, in 1826. The Company, however, was prevented by circumstances from pursuing its intentions of forming a settlement, and the land in course of time became the property of the New Zealand Company of 1839.

In the year 1838, a Committee of the House of Commons inquired into the subject of the disposal of Waste Lands, with a view to colonization. In the evidence given before the Committee, New Zealand was pointed out as a field peculiarly eligible for the purposes of colonization, but the tax system should be so arranged as to impress the settlers with a deep impression at the time upon Mr. Francis Baring, a member of the Committee, and, after the publication of the Committee's Report, upon the minds of several gentlemen out of doors. And in the following year a Society was formed in London, of which Mr. Francis Baring was chairman, and Lord Durham senior member of the managing committee, for the

New Zealand created into a separate Colony, and Captain Robt. Baring appointed Governor.

First Civil List of the Colony of New Zealand.

The Colonization of New Zealand.
purpose of inducing the British Government to establish a sufficient authority in the islands, and to colonize them according to a plan deliberately prepared, with a view of rendering colonization beneficial to the native inhabitants as well as to the settlers. This Association consisted of people intending to emigrate, and of public men, who gave the influence of their names to collect information, and who were willing to carry the measure into execution.

The Imperial Government were at first inclined to favor the Association, but, after some delay, refused to give the Ministers to oppose it. The Association, the Secretary of State said, was not a company trading for profit, but, on the condition of it becoming such a Charter would be offered to it.

This the Association declined to accept on the ground that its members, had irrevocably and publicly declared all views of pecuniary speculation or interest, and were thereby, as well as by a continued disqualification to acquire any private concern in the national work which they sought to promote, entirely precluded from acting to the proposed condition of raising a Joint Stock Capital.

The Association then changed its plan and attempted to form a Colony by another method. In June, 1838, Mr. Francis Baring introduced a Bill into Parliament, which embodied the views of the Association, as modified by the suggestions they had received from Lord Melbourne and Lord Howick.

The Bill was opposed by her Majesty's Ministers for many reasons, and the House of Commons, in their opinion the Bill was thrown out by a large majority.

The Bill was then recommenced under a somewhat altered form and denominations. Among the body of intending colonists which had been collected by the Association, were several gentlemen who had disposed of property, and abandoned professions with a view to emigrating. These gentlemen, after the defeat of Mr. Baring's Bill, determined to act upon Lord Glenalig's proposal of a charter, and formed themselves into a Joint Stock Association, which they at first designated the New Zealand Colonization Company, afterwards the New Zealand Land Company, and eventually the New Zealand Company. On the 17th and May, 1838, Two Companies were established. Capital £200,000 in 4000 shares of £50 each; deposit £10 per share. This was subsequently reduced to £100,000 in 4000 shares of £25 each. Governor, the Earl of Durham; Deputy-Governor, Mr. Joseph Baines; and a director consisting of Lord Petre, Sir George Sinclair, M.P., and Sir Henry Webb, baronet, Colonel Torrens, Alderson Thompson, M.P., and Pirie, Messrs. John Abel Smith, W. Hutt, M.P., G. Palmer, M.P., George F. Young, Russell Eliot, Stewart Majorstan, and several other gentlemen.

It was then ascertained that her Majesty's Ministers were as much opposed to the New Zealand Company as to the Association, and the directors, knowing from past experience that it was impossible to move the Colonial Office, determined to consider New Zealand a foreign country, and to establish settlements in it without the Crown's permission. With this view they resolved to send an expedition to New Zealand under the direction of an agent, for the purpose of acquiring land from the natives. This charge was confided to Colonel William Wakefield, with instructions to select the spot which he should deem most eligible as the site of an undisturbed Colony, and to make preparations for the arrival and settlement of the emigrants.

On the 12th May, 1839, before the directors had divulged their scheme to the public, the ship Tory, 400 tons burthen, sailed for New Zealand, having on board Colonel Wakefield, the company's chief agent; Mr. Edward Jerningham Wakefield; Dr. Dibdenbach, a naturalist; Mr. Heapby, a draughtsman; Mr. Dore, a surgeon; and a New Zealander, named Magee, appointed to stay on shore with Mr. J. J. Wakefield. Two days after the ship was clear of England's shores, the directors announce that the Company was formed to purchase land in New Zealand, promote emigration, lay out settlements, re-sell such lands according to the value bestowed on them by emigration, and with the surplus money give free passages to skilled tradesmen and agricultural laborers.

The Colonial Office was completely carried at this energetic step. An explanation, and an account of the whole affair, were immediately demanded by the Secretary of State, and Lord John Russell informed the directors that the instructions sent out for the governo method were absolute; that the condition was legal, because no body of Europeans could form a Colony in any country without the consent of the Crown. After a considerable display of wordy resistance, the directors admitted their mistake, asked for a favorable construction of their motives, and put themselves under the protection of her Majesty's Ministers.

On the 16th September, before hearing of the proceedings of the preliminary expedition, the first body of the Company's emigrants sailed from Gravesend in three ships, a redress having been appointed with Colonel Wakefield for the 15th January, 1840, at Port Hardy, in Cook's Strait, a known good harbour.

Colonel Wakefield, on his arrival in New Zealand, in August, 1839, was induced to select Cook's Strait as the scene of the Company's operations, partly by the superior capability of this district, and partly by its remoteness from the irregular settlements in the North. He found the natives attaching little value to their lands, and anxious to procure a share in the advantage which the Northern tribes had derived from traffic with the whites who had recently colonized the district, the traffic being interrupted occasionally by the waywardness of some of the chiefs, and the jealousies which Sydney land speculators, whalers, and others, had instilled, Colonel Wakefield obtained a
formal session, signed by a number of the principal chiefs, of their rights to the land on both sides of Cook's Strait, as far north as a line drawn from Point Tarawera on the East Coast to Kauria on the West, and as far South as the 33rd parallel of South latitude.

On the 10th September, the Company's agent took formal possession of Port Nicholson under a royal salute, and the New Zealand flag was hoisted at a spot where an immense flag- staff had been erected, and at the main of the ship simultaneously. The event was announced by a war dance, and the whole assemblage partook of an ample meal provided for the occasion by the natives.

The emigrants, who sailed from Gravesend in September, 1828, arrived at Port Nicholson on the 22nd January, 1840, and before the end of the year, 1300 settlers had disembarked. The company's pioneers were surprised at the civilization of the aborigines, and bore testimony against previous erroneous opinions as to the benefits or otherwise on the New Zealanders of white men in the country. The natives, on their part, were astonished at the sight of so many Europeans, and inquired if the whole tribe, meaning all the people of England, had come to New Zealand?

On the 1st June, 1828, the Company issued proposals for the sale of nine-tenths of a township of 116,000 acres, in lots of 100 acres for £100 per lot, each lot comprising 100 acres of cultivated land, and one town section. 75 per cent. of the purchase money was to be employed in emigration, and 25 per cent. in defraying the expenses of the survey, and to furnish a profit upon the capital invested. One-tenth of the land offered for sale was to be reserved for the benefit of the natives, priority of choice for the whole of the sections to be decided by lot.

In consequence of the rapid sale of the land comprised in the preliminary sales, the directors issued another prospectus on the 30th July, 1828, announcing their readiness to receive applications for country lands to the extent of 50,000 acres in sections of 100 acres each, at the price of £200 per section, or 2½ an acre, the whole amount to be paid in full, in exchange for a land order.

At the entrance to the Valley of the Huia, Colonel Wakefield laid the foundation of a town, which was named by the company Britannia, the choice, however, proved to be injudicious both from the nature of the ground, and the violence of the surf, which was so great that lives were lost in attempting to land. A public meeting was consequently held in March, 1840, and the removal of the town to Jackson Harbour on the opposite side of the bay was determined upon.

The site of the new town was named Wellington. Unfortunately this place was inhabited by natives who strongly protested against the settlers appropriating land used by them for cultivation, and which they denied having sold, but no physical resistance was offered by them to the occupation of the land, through being informed by persons collecting signatures for the treaty of Waitangi, that her Majesty's Government would see justice done them. According to the plan on which the settlement of Wellington was founded, a town site was laid out consisting of 1,100 sections of one acre each, besides reserves for public purposes, 1,100 rural sections of 100 acres each were also laid out in various parts of the neighboring country. Each purchaser in London of one right of selection became entitled, in order of choice determined by lot as soon as all had been purchased, to select one town and one country section. 110 sections were reserved for the natives, and treated precisely in the same way, as to order of choice, as though each of the sections had been purchased by a private individual.

For many months after the departure from England of the New Zealand Company's preliminary expedition, under Captain Wakefield, and of the newly appointed Consul, Captain Hobson, no intelligence was heard of how matters were progressing in New Zealand. In the meanwhile it became known in London that a vessel named the Conde de Paris having on board emigrants had left France in October, 1828, for Akaroa in the Middle Island, and that the French frigate Bénoue was on the eve of sailing for the same destination. A report was also current about the same time that France was on the eve of founding a penal settlement in New Zealand. This rumor raised the apprehension of a number of influential merchants and bankers in London, and a meeting was held at Guildhall on the 16th of April, 1841, at which a petition to Parliament was proposed and carried, urging the adoption of measures to preserve these islands to the British Crown. This led to the appointment of a Select Committee of the House of Commons to collect evidence on the question. A report favorable to the views of the petitioners was moved in the Committee, but subsequently rejected through the influence of the official members.

Numerous opinions were entertained regarding the intention of France to found a colony in New Zealand. The circumstances that led to the emigration of a small body of French colonists to New Zealand are as follows:—The master of a French whaler, under the name by which he had been engaged with others of his countrymen, in sealing and fishing on the shores of New Zealand, on his return to France professed to have purchased a large portion of the coast, and the native chiefs. This led to the formation of an association under the denomination of the Nanto-Bordelais Company, which dispatched a vessel with thirty men, eleven women, and sixteen children to Akaroa, with the exception of M. de Belivat, a botanist and mineralogist, from the Jardin de Plantes of Paris, the emigrants were all of the lower order.

A few days before the Conde de Paris, having on board the emigrants, arrived at her destination, H.M.S. Brioncelet, Captain Stanley arrived on board under orders from Lieutenant-Governor Hobson, with Police Magistrates, and visited the only two parts of the bay where there were houses. The British flag was hoisted, and a Magistrat
held, and the sovereignty and occupancy of British Russia was proclaimed, before the arrival of either the French frigate L'Aigle or the Conto de Paris with the emigrants.

Captain Stanley explained the state of affairs to the French commander on his arrival, who on his part declared that nothing hostile to the British Government should be done by the emigrants, and that unless fresh instructions were received from the respective Governments of England and France, they should merely build themselves houses for shelter and clear what little land they might require for gardens.

Mr. Robinson one of the Magistrates who accompanied Captain Stanley remained at Akaroa, and accepted the offer of a cabin on board the L'Aigle while he remained at that place. The Britisher, after visiting Pecon Bay, sailed for the North on the 27th August, 1840.

The circumstances above narrated appear to be the only evidence of the intention of France to colonise New Zealand.

Arrangements were subsequently made by the Imperial Government to grant the French Company 30,000 acres in the neighborhood of Akaroa; but before the preliminaries were finally settled, the New Zealand Company purchased the whole of their claim for £4,500.

Soon after the foundation of Wellington a settlement was formed at Wanganui. Late in the year 1840, a number of Wellington settlers desiring of obtaining country sections of land nearer than forty miles to the town emigrated by sea to Wanganui a place on the West Coast 120 miles to the north of Wellington. This new settlement was named Petre.

The early settlers found no better than those of Wellington. On arriving at Wanganui they found the country fenced with pointed stakes by the Company's agents, but the natives would not allow them to take occupation. To prevent bloodshed the Governor appointed a Police Magistrate to reside there, and cautioned the people from settling on land under Company's orders.

A town was ultimately laid out about four miles up the river on its western bank, but the early settlers had to undergo many vicissitudes, in consequence of the unsettled state of the native population in its neighborhood, which led in 1847 to the partial abandonment of the settlement.

In the month of February, 1842, an Association was formed in the West of England, termed the "New Plymouth Company" esoterically in connection with the New Zealand Company in London, of whom the former was to purchase land for the purpose of re-selling it to capitalists, or leasing it to farmers who might be disposed to emigrate, and found a settlement to be termed the "Plymouth Colony of New Zealand." The directors of the Bank of England invested the money out of which they purchased 310,000 acres of stock in the New Zealand Company at par, for which they were to receive a territory comprising 50,000 acres clear of all streets, public places, roads, and native reserves. The land was to be specially selected by the surveyor of the Plymouth Company from such part of the Company's possessions as might hold out the best prospects for the commercial and general prosperity of the settlement. The town of New Plymouth, by the original plan was to consist of 300 acres, exclusive of all streets and public places; to be divided into 2,000 town sections of a quarter of an acre, which were to be sold at 511 each; 500 sections to be reserved for gratuitous distribution among the native families dwelling near the settlement.

A belt of land round the town containing 10,450 acres exclusive of roads, was to be divided into 209 suburban sections of fifty acres each, nineteen of which were likewise to be reserved for the natives. The land outside this suburban belt was to comprise 87,900 acres to be divided into 560 sections of fifty acres each, and leased or sold.

In August, 1840, Mr. E. A. Carington was sent to fix the site of the projected settlement, and the eastern coastal line of the country between Cape farewell and Campbell (including the tract where the Nelson settlement was afterwards placed), and finally selected a portion of the district about Taranaki (Mount Egmont), and the Waikato, on the West and South-west part of the Northern Island, as best adapted for an agricultural settlement.

In February, 1841, the surveys were commenced under circumstances of considerable difficulty; the natives doing all in their power to oppose their progress. The following month the first ship known of emigrants, called the pioneer expedition, (144 in number), arrived at Taranaki, or New Plymouth, and were joined by the main body of settlers on the 2nd of September, 1841. Lots for order of choice were then drawn, but no reservation was made for the natives. Another selection of rural lands was made in June, 1843; but again no sections were set aside for the natives, notwithstanding the remonstrances of Mr. Carington, who urgent upon the representatives of the Company, the agents, and the land owners, that unless some steps were taken for the natives on the rivers Wairau and Waikato the settlers would not be able to carry on their settlement. In consequence of this arrangement the original sections of the settlement were entirely upset.

In January, 1842, a Crown grant of the restricted quantity was offered to the principal agent of the New Zealand Company and refused. The question was subsequently arranged
by Governors Grey by the purchase of an additional block of land from the natives, sufficient to satisfy all the requirements of the settlement at the time.

The seat of Government was established at the site of the present town of Russell, a few miles distant from Kororareka, in the Bay of Islands, but after a while, it was found to be an unsuitable place for the capital, in consequence of an insufficiency of available land. This led to the choice of another site, on the right bank of the Waikato, and on the 19th of September, 1840, the British flag was hoisted at Auckland, the name given to the future capital. The choice was ultimately confirmed by Her Majesty's Government, and in January, 1841, Captain Hobson took up his abode there.

The first sale of Crown lands took place at Auckland in April, 1841. It was advertised for several months in New South Wales, and attracted a large amount of speculation. In September of the same year, another sale of suburban land and small farms was held, but this auction was not so productive as the first.

These sales were made under the sign manual, dated 1840, which directed all Crown lands in New Zealand to be sold at a uniform price. After this date, the Australian Land Sales Act was introduced, by which all lands were sold by auction, at an upset price of not less than £1 an acre, half the proceeds to be applied to public purposes, and the other half to promote emigration. By a subsequent Act, New Zealand was exempted from the Australian Act, and the Crown's power over the waste lands restored.

Towards the close of the year 1840, the directors of the New Zealand Company, became desirous of obtaining a Charter of Incorporation from Her Majesty's Government, and negotiations were commenced, which terminated in November of the same year in the offer of a Charter, under certain conditions. The Company was to waive all claims to lands in New Zealand on the ground of purchase from the aborigines, and to receive from the Crown a free grant of land in the ratio of one acre for every five shillings reasonably expended by them for the purposes of colonization. This offer was accepted. The Charter was issued on the 12th February, 1841; the Company's capital was fixed at £50,000, in shares of £25 each, of which two-thirds were to be paid up within twelve months, with power to increase the same to the extent of £20,000. In conformity with the terms of the agreement of November, 1840, Mr. James Pennant, an accountant, was appointed to investigate the expendit.

Early in the year 1840, the New Zealand Church Society was formed for the purpose of procuring for the Colonists of New Zealand at the earliest period of its colonization, all the advantages derivable from the presence of a body of clergy, acting together under the government of a Bishop, and, on the separation of the Colony from that of New South Wales, an Imperial Government to constitute the Islands of New Zealand an independent Diocese. Government acceded to this arrangement, and on the 17th October, 1841, the Rev. George Augustus Selwyn, Fellow of St. John's College Cambridge, was appointed the first Bishop of New Zealand, and with a suite of clergymen called for his diocese by way of Sydney in the end of 1841, arriving at Auckland on the 30th May, 1842. The Bishop appointed clergyman to reside at Wellington, Nelson, and New Plymouth; and after making several tours through his diocese he devoted his attention principally to the residence in the Colony, to the foundation of a College near the missionary establishments in the North, and superintending the Church Missionaries in the conversion of the large native population in that part of the Colony.

The New Zealand Company, on being appealed to by the Church Society for assistance during the early stages of the proceedings to obviate any difficulty that might arise in regard to a sufficient endowment for the purpose, not only expressed themselves favourable to the design, but also voted considerable grants of money and land towards the accomplishment of the object.

Late in the year 1841, twenty-seven settlers from Great Britain arrived in the Matamata Harbour. These colonists were sent out by a Scotch Colonization Company, which claimed 19,000 acres of land purchased from the natives in 1835, by a Mr. Mitchell, and re-sold in 1839, to Major Campbell, Mr. Rey, and Captain Symonds. The settlers, on disembarkation, squatted on the ground; but, as the Company could not establish their right of purchase, no more emigrants were sent out, and the settlement never took root. These already in the Colony were given lands in other localities, and after twelve years correspondence the Colonial Government reported that the Matamata Company were only entitled to 1,900 acres of land.

The directors of the New Zealand Company, encouraged by the eagerness with which in England land was purchased at the Wellington, and the New Plymouth settlements, issued a prospectus in 1841, for the formation of another settlement, to be called Nelson, on the following plan: The settlement was to consist of 200,000 acres, in 1,000 allotments of 200 acres each. Each allotment to consist of three sections, viz. 100 acres of rural land, 60 acres of suburban land, and one town acre; the town thus to consist of 1,000 acres, exclusive of reserves for public purposes. The price of each allotment was £50. As soon as a certain number of allotments had been paid for, a ballot was held, as in the case of the Wellington settlement, in order to establish the order of choice; but with this difference, that a separate ballot was held for town, suburban, and rural sections, so that the purchaser of an allotment might become entitled to a different order of choice for each of the three sections included in it.

The Company also added a quantity equal to one-twelfth of the settlement as native reserves, so that the whole land to be appropriated was 221,100 acres, and the town was 1,100 acres exclusive of public reserves. The Company had also a right of purchasing 100

The seat of Government fixed at Auckland.
allocations for its own benefit, at the same price and subject to the same terms as other purchasers. One half of the sum realised was to be devoted to emigration, out of which $20,000 was to be reserved as a special fund for making allowances of passage money to purchasers and their families, according to the discretion of the directors, two-thirds to defray the Company's expenses, &c., and one-sixth was to be held in trust for the purpose of rendering the settlement attractive. This last appropriation gave origin to the Nelson Educational Fund.

The preliminary expedition for the formation of the settlement sailed from London in April, 1841. It consisted of two vessels, the Whibby and the Will Wash. The charge of the expedition was confided to the care of Captain Arthur Wakefield, who was appointed resident agent for the new settlement. Both ships, after a prolonged passage, arrived at Wellington in September of the same year. Governor Hobson met the immigrants there, and on being applied to by the principal agent of the Company to point out a district suitable for the proposed settlement, he invited the agents to examine three districts in the North Island of which he had engaged to put them in possession of — the Manawatu, the River Thames, or in the Wairau. The Company's agents, however, objected to these sites for several reasons, and specified Port Cooper, Banks' Peninsula, to be the site which they required for the purpose.

The Governor refused his consent to the settlement being formed at Port Cooper, anywhere in the Middle Island; but, after some delay, it was eventually arranged to form it on the shores of Blind Bay, and accordingly the preliminary expedition set sail from Wanganui for the purpose of finding a site on board Capt. Wakefield the resident agent, Mr. Tocknett the chief surveyor, and a staff of assistants and labourers. On quitting Port Nicholson, the vessels were compelled by the wind to approach near the opposite shore of Cloudy Bay, and from each was observed, with no little surprise, the extensive plain of the Wairau, and the grassy hills to the East.

After looking about the entrance of Queen Charlotte Sound for an available site, the expedition called at Kapiti, to acquaint Haunapa and the principal chief resident there, of the projected settlement in Blind Bay. Leaving from Kapiti, the ships proceeded to Astrakie Roads, where having anchored, three exploring parties were despatched in different directions to search for available country, and also for an available port. On the return of two of the exploring parties to Astrakie, the leaders, Messrs. Humphry and Moore, reported the discovery of sufficient available land for a settlement. This decided Captain Wakefield upon having arrangements made (much against the wishes of the chief surveyor, who had returned in the meantime with the intelligence that the land seen by himself and others did not meet the requirements of the Natives) for surveying a site for the future town at Kaiteriteri, extending along shore to the mouth of the Wairau Valley.

While the survey of the town was being proceeded with, a boat was dispatched to the south-eastern shore of Blind Bay, to ascertain if any port existed. This led to the discovery of the harbours of Wakaumu, or Nelson as it was afterwards called. On the news of the discovery being conveyed to Astrakie, the survey of the town site at Kaiteriteri was abandoned, and the whole party re-embarked for the present site of Nelson.

The survey on arrival, the survey of the site for the projected settlement was commenced, and carried forward with energy and rapidity.

The chief surveyor, although satisfied with the port of Wakaumu, and the land contiguous to it as a site merely for a town, felt desirous of making further explorations; but as there was little time to spare to make further research, in consequence of the immigrants being then on their way out from England; for whose establishment preparations were necessary to be made, Captain Wakefield determined upon planting the settlement in Blind Bay, and Wakaumu, with the surrounding country, comprising the townships of Wairau, Hutters, Matiuaka, and Miscaha, and the property chosen as being the best site on its shores.

As the whole of the available land in Massacre Bay afforded less than half the number of the rural sections, of 150 acres each, required to complete the scheme of the Nelson settlement, it became necessary to explore further, and in the opposite direction, for available land. This led to the discovery of a tolerably easy route to the East, by which the Valley of the Wairau was reached.

The chief surveyor, Mr. Tocknett, on visiting the district, reported favourably of its capability for affording the number of sections required to complete the settlement, and preparations were made to have the country surveyed.

As soon as the intelligence reached the natives on the northern shores of Cook's Strait that the Wairau was being explored for the purpose of settlement, Haunapa, accompanied by two other chiefs, Te Hiko and Rangihoua, crossed over to Nelson, and had an interview with the resident agent, whenupon Haunapa informed Captain Wakefield that having heard that persons had gone from Nelson to the Wairau, with the intention of surveying the land, the had been informed to the agent that they must not go there, as he had not sold the district to the New Zealand Company, and was not then disposed to do so; but, if he should, the payment must be great.

In reply to Haunapa's remarks, the resident agent claimed the Wairau by virtue of the purchase made by the principal agent from the natives, and informed him that the survey must be proceeded with.

Rangihoua repudiated the sale, and cautioned any person from going there, or they would meet with violence. Haunapa, although quieter in his demeanour, retreating the surveyors not to persist in going to the Wairau, and requested the agent to refer the claim to the decision of the Government Commissioner, Mr. Spence. The agent, however, refused.
to recognize the Commissioner's jurisdiction over the Company's claims, and determined to proceed with the work, feeling confident in the justice of the purchase of the districts made by the principal agent. Besides the payment made to the natives for the land the Company had also to purchase the interest of the widow of a Captain Blackman, who claimed to have made a prior purchase of the district.

This unfortunate persistence to survey the district in opposition to the threats of the natives led to a serious affair with them; in June, 1842, resulting in the loss of twenty-two of the Nelson settlers, among whom were Captain Wakefield, the Resident Agent; Mr. Thompson, the Police Magistrate, Captain England, a settler; Mr. Richardson, the Crown Prosecutor, and Mr. Howard, the Company's storekeeper. The unhappy affair occurred in endeavoring to execute a warrant on Bauparaks for arson,—for having, in opposing the prosecution of the survey, burnt down one of the survey huts,—and in the parley which ensued, a demonstration to seize Bauparaks led to a rush. A musket was fired (by accident), from the colonist's side. The natives returned the fire, and a running fight followed: Captain Wakefield, perceiving that the lives of his party were endangered, determined to attempt a negotiation under a flag of truce, and the better to ensure their safety, that the natives might understand the intention, desired his men to disarm and lay down upon the ground: the natives then ceased firing; and as they came up, the Europeans delivered up their arms at Captain Wakefield's order.

Pausing, one of the native chiefs endeavoured to make peace, and urged on his countrymen that enough blood had been shed; the number of killed on both sides being about equal. This induced the two parties to separate. The Rarotonga police, with the help of the British police, quickly in a group they were joined by Raghaeta, one of the principal leaders, who demanded the lives of those who had surrendered. To this Bauparaks at first objected, but on Raghaeta calling on him not to forget his daughter (one of Raghaeta's wives, who had been killed) by a chance shot at the commencement of the affair), he offered no further opposition. Upon this, Raghaeta put the whole of the unfortunate prisoners to death, in spite of the intercession of some of his party, who cried to him to save some of the raghaetas (gentlemen), if only to say they had been some.

The first intelligence of the sad occurrence was conveyed to Wellington by the Colonial brig Victoria. A meeting of magistrates was immediately convened to consider measures for the relief of any parties that might be in the bands of the natives. In consequence of the hitherto clear state of the weather, the relief party were unable to cross the Straits for two or three days. In the meantime, most of the colonists who had escaped from the conflict had their way to Port Underwood, some of whom had suffered much from wounds, and also from the deprivations of the raghaetas.

A magisterial inquiry was subsequently held into the causes that led to the unhappy affair, and steps were taken to inter the remains of those who had fallen. The bodies of the unfortunate slain were subsequently interred on a little knoll on the east bank of the tributary stream called the Tua Marina, near its confluence with the Wairau river, since denominated Massacre Hill, on which a monument has been erected to commemorate the sad event.

The Wairau was made known to Nelson when the result of the expedition to the colony was, complete disorder and massacre. It was not at Nelson only that the effects of the melancholy catastrophe were experienced. The shock is produced reverberated through the whole Colony, causing an estrangement between the two races, a condition of affairs but little calculated to strengthen the bonds of intercourse between them, or to promote the advancement of civilization. The first resolve of the natives after the Wairau massacre, was to conceal themselves till-might, and under its shadow bood the Colonial brig supposed by them to be at Port Underwood, kill all they found on board. However, the Wairau massacre, while it struck terror into the minds of the Massacre Hill, was not in the minds of the Company or the servants of the Company.

This maniacal scheme was frustrated by theailing the brig for Wellington the evening of the day on which the massacre occurred. The natives afterwards fled in terror across the Straits, dreading the vengeance of the white men, and took up their position in a fortified pah beyond Whangaroa.

In July, 1842, immediately after the Wairau massacre, Lieutenant Shortland, the officer administering the Government after Captain Hobson's death, issued a proclamation warning the settlers of all lands where the claim was disputed by the original native owners. In consequence of this, the Company's surveys were at once stopped, cultivation in a great measure ceased, and numerous labourers previously employed by private persons were thrown upon the settlement in a state of destitution.

Towards the close of the year 1841, the Colony was suffering from a general exhaustion of financial resources. The expenditure anticipated upon the Government of six or seven distinct and widely scattered settlements, were necessarily very heavy. The whole revenue which could be collected in 1841, was only £69,796, or about £28,000, that of 1841 (exclusive of the money raised by land sales, a large portion of which was to be appropriated to emigration purposes) amounted to but £55,000, while the expenditure had increased to £89,748. The treasury of New South Wales contributed in 1840 and up to May 1841, £28,397, in the form of a loan. This resource was then stopped. From the land sales at Auckland (to which fund the Governor was compelled to resort, as the only available means of meeting the exigencies of his position), had greatly disappointed his expectations as they fell far short of £257,009 instead of £250,000 which had been constantly anticipated. In January, 1842, Captain Hobson wrote to Lieutenant Shortland, that it was "utterly impossible to carry on the Government of the Colony without the assistance of the Home Government," and soon after he commenced drawing bills on the British Treasury.
with the advice of his Executive Council intending to do so to the amount of £150,000 to cover deficiencies of the year 1842. The Lords of the Treasury objected to these proceedings, but consented to meet the bills to the extent of £10,000, amounting at the same time that any future bills so drawn would be dishonored.

Before the intelligence reached the Colony, Governor Hobson was deceased. He died at Auckland, in September, 1842; his demise being, without doubt, accelerated by the manner and increasing difficulties of his position, and from the effects of a paralytic attack, from which he suffered shortly after his arrival.

At this period, the temporary administration of the Government devolved on the Colonial Secretary, Mr. Shortland, who was succeeded, after a short rule, by the appointment of Captain Fitzroy R.N., as successor to the late Governor. This officer's connection with the Colony arose from his having visited the Bay of Islands in 1839, in her Majesty's surveying ship Beagle, and from having given evidence in 1838 regarding New Zealand, before the Committee of the House of Lords.

Shortly after the arrival of the new Governor, Mr. Shortland resigned the position of Colonial Secretary, and Dr. Sinclair a surgeon in the Navy, who had accompanied Captain Fitzroy to explore the natural history of the country, was appointed in his stead; Mr. Shortland being shortly afterwards appointed by the Imperial Government to administer the Government of the Island of New Zealand.

In 1843, the directors of the New Zealand Company sought and obtained from Lord Stanley a supplemental charter, entitling them to borrow and raise at lawful interest any sum不超过£200,000, upon the security and credit of any portion of the subscribed capital of the Company not called up, and of the profit of the undertaking, and of the lands, tenements, hereditaments, and other property for the time being of the Company. Being unable, however, to raise the sum in the money-market, the Company reported to the Government in February, 1844, that their funds were exhausted, and asked for a loan of £100,000, which they proposed to borrow from the public.

The Government declined to afford them any assistance, except on certain conditions, which were not in a position to avail themselves of, and shortly afterwards were compelled to suspend their operations in consequence of their pecuniary difficulties.

The stoppage of the Company's works caused great depression in all their settlements, and in order to alleviate the state of affairs as much as possible, in the case of the laborers in the Nelson settlement, who had hitherto been employed in the works there, the resident agent, Mr. Fox, induced them to settle on the land, so that they might have some food of their own raising for subsistence; and, to afford them temporary relief while they were being provided for, portions of unsold land were allotted to them, and they were permitted to remove their personal effects from the Nelson settlement. This description of employment, however, soon ceased, and when that difficulty arose, a state of distress appeared almost impossible to describe. Food of every description became so scarce that seed potatoes which had been in the ground a fortnight were dug up to appease hunger. For months many never tasted bread, but were forced to eat wild greens, and in some instances had to relieve the cravings of nature. Some of the emigrants found means of leaving the settlement, and many of those who remained were forced to abandon the land they had commenced cultivating, and for the bread of the land purchasers who were able to employ them, at small wages, which, in many instances, had to be taken out in such goods as the employer happened to possess, and at their own prices.

Governor Fitzroy arrived at Auckland at the close of December, 1843, and found the local government without money or credit, and in debt more than one year's revenue. There were no means of paying any salaries, however long in arrear; scarcely could the most pressing and ordinary payments be made. Without local resources for a moment's account of frequent disputes between settlers and natives, had been too long deferred, the Legislative Council not having been assembled during Mr. Shortland's administration of the Government, or for nearly a year previous to Captain Hobson's death, during which long interval no measure had been prepared by the law officers.

The complimentary addresses to the new Governor from the various settlements, all expressed with grief and dissatisfaction. The inhabitants of Auckland, after congratulating Governor Fitzroy on the safe arrival of himself and his family, gave a Jovian picture of the settlement, and added to the "bankruptcy of the local Government, the great amount of its debt in a community so small, with the vast amount of private and minors' necessarily occasioned;" the suspension of the land sales, as well as of emigration; the total destruction of the flourishing commerce of the country; the state of starvation in which many of the emigrants were existing, with the complete prostitution of the camps of the settlers generally, and their desire to leave the Colony, unless an immediate change for the better could be brought about.

Among the causes for this state of things specially noticed, were the non-settlement of the claims made by the old and original settlers, after the lapse of nearly four years, and the discontent widely spreading among the natives, with whom, the address goes on to state, "our relations, we believe, can never be placed upon a secure basis, until their full rights as British subjects are conceded to them; more particularly, the power of selling their land to whom they please—a power which they ardently desire to possess, and which their independent government gives them full right to exercise. The restriction on trade by custom-house regulations and duties, were bitterly complained of, and the want of punctuality in the payment of salaries and other pecuniary obligations due by the local Government, was noticed as having occasional much inconvenience, and
loss of credit to individuals, and proved hurtful to the community generally. Another
gesture was "the recent imposition of juvenile delinquents from the penitentiary of
Parliament." 

The addresses from Wellington and New Plymouth, breathed the same spirit of
depression, mingled with alarm at the tone and manner of the natives, in regard to the
land claims.

In the Horowhenua address, it is stated "the country has become beyond example one
general scene of anxiety, distress, and ruin, so that property has lost its value, personal
security has been at stake, and happiness has almost ceased to exist." The census named
were the unsettled state of the old claims, and the imposition of customs duties, which had
driven away both native and European commerce, and destroyed all agricultural enterprise,
together with the market for all sorts of produce.

Notwithstanding the pressure of business in Auckland, Governor FitzRoy felt the
imposed necessity of hastening to the southern settlements to check the hostile feelings
rapidly increasing between the two races, and effect, if possible, an amicable adjustment of
the New Zealand Company’s claims to land in the neighborhood of Wellington. Amongst
other things Governor FitzRoy was authorized to appoint some person to represent the
Government in the neighborhood of Cook’s Strait, with sufficient executive power to enable
him to act upon any emergency, without the delay of a reference to the head of the local
Government, and before leaving Wellington, the Governor in conversation with the
instructions, appointed Major Richmond then Police Magistrate there, and formerly
Government Resident at Patea, to be Superintendent of the Southern
Division, with a salary of 200 L., and the term division was chosen in preference to districts
as being more comprehensive, and included all the territory named in the Supreme Court
Ordinance to which the appointment applied.

From Wellington, the Governor proceeded to Nelson to inquire into the Wairau
conflict. His Excellency on reaching there publicly thanked the magistrates who
responded to the warrant for Rauparaha and Mangatara’s arrest, and stated that the warrant
was unexecuted and led to the massacre was enforced. This rebukes coming from so high a functionary at a time when the colonists
were mourning the death of their fellow-settlers, produced a deep sensation, and several
magistrates immediately resigned their commissions.

Mr. George White, who had been appointed by Mr. Shortland to act provisionally at
Nelson as Police Magistrate, after Mr. Thompson’s death at the Wairau, having asked to be
released from his duties, the appointment was transferred by the Governor on Mr. Donald
Sinclair on the following day.

Governor FitzRoy called at Kapiti (Entry Island), on his way back from Nelson, and
had an interview with Rauparaha concerning the Wairau conflict, at which his Excellency
after hearing Rauparaha’s statement of the causes that led to it, announced that there was
no intention on the part of the local government to revenge the death of those who had fallen.
Many opinions were expressed concerning the justice of this decision. But had the Governor
yielded to the clamor of the settlers and proceeded to try the chiefs for the death of the unfortunate victims of this sad catastrophe, as was suggested, their apprehension—
even supposing they had the power to effect it—which they had not—would
but have exaggerated all parties yet more, and probably have led to most disastrous results.

The pacific and conciliatory policy adopted by the Governor to check the hostile feelings
rapidly increasing between the two races in the Southern settlements, was, no doubt, the
best course that could have been taken under the circumstances, although the natives mistook it
for cowardice. Not to avenge the dead according to their law, indicates that the most humane spirit;
and in all dealings with them it is necessary to take the native customs into
consideration, and when this can be done without violating them of justice. This principle
was unknown to Captain FitzRoy, otherwise he would have claimed the Wairau as
compensation for the death of his countrymen.

The Imperial Government subsequently approved of the action taken by Governor
FitzRoy to settle this unhappy affair, and Lord Stanley in a despatch, dated November, 1844,
says in regard to the matter:—“I am of opinion, that in declining to make the Wairau
conflict a subject of criminal proceedings, you took a wise, though undoubtedly a bold decision.”

From Kapiti, the Governor proceeded to Wellington, and after assisting in the completion
of the New Zealand Company’s purchase of land in that neighborhood, except the upper part
of the Hutt Valley, he proceeded northward to Auckland, where he assembled the Legislative
Council to assist him in the consideration of measures urgently required to bring about a
healthier state of things in the Colony generally. The first object requiring attention was the relief of the local government from its financial difficulties. At the
beginning of 1845, the state of the Colony, or in other words the deficit of means to meet
the current expenditure was $25,000, and the active revenue for the coming year was estimated
at only $33,000. All salaries and ordinary current payments were therefore in arrear.
The establishment was reduced to the scale authorised by the Secretary of State, as the close
of 1844; but the estimated revenue was inadequate to meet even two-thirds of the contemplated
expenditure, and the Governor was strictly prohibited from drawing bills on the
British Treasury to cover deficiencies.

In this emergency, Governor FitzRoy, with the consent of the Legislative Council, in
order to relieve the depressed, signed promissory notes for debentures, payable in two
years on account. The debentures were issued for sums as low as half-a-crown, and were
declared a legal tender, an Act to that effect having been passed by the Legislative Council
authorizing the Governor to issue debentures to the extent of £15,000.
The Colonial Treasurer was also instructed, in order to avoid temporary relief, to negotiate a loan for £5,000, the amount due on account of salaries and tradesmen’s bills. It was found, however, that the Treasurer could only effect an arrangement with the Bank for £3,000, at 12½ per cent.; and probably that £2,000 might be forthcoming at some future period, at the same rate, in anticipation of a sum of £7,656, to be voted by Parliament in aid of the revenue.

Shortly after this, the Governor on discovering the impossibility of paying Customs duties generally, and with the view also of pacifying the natives in the neighborhood of the seat of Government, abolished all Customs duties throughout the Islands, and substituted a graduated property and income tax, as a means of replenishing the revenue.

These changes in the law had been affected with such haste, as to render impossible any reconnoissance from the remote districts, and the Legislature had been closely divided respecting these measures, and had been opposed to a large portion of the annual estimate. In consequence of the Cook Strait settlement having been proceeded with, a vote in the passing of these measures, they refused to pay the property tax. His Excellency therefore considered it advisable to repeal the Act, and re-enact the Customs Ordinance. The Custom-houses and their officers were therefore re-established, but on a much reduced scale, not exceeding one half of their expense in 1843. Further reductions in the estimated annual expenditure of the Colony were proposed by the Governor, and adopted by the Legislative Council. The estimated expenditure for 1844-5, was $25,000. The estimate for 1844-6, had been $48,000; that for 1845 in Governor Hocken’s time, was $25,000. These reductions had been effected by reducing salaries, and partly by the alterations in the establishment for the collection of Customs.

In March, 1844, the Governor with a view to conciliate the natives, consented to waive the Queen’s right of pre-emption over certain portions of the country in the neighborhood of Auckland, and issued a proclamation permitting private individuals to purchase direct from the natives on payment of ten shillings an acre to the Crown, and subsequently, to further and their dissatisfaction, on the payment of one penny an acre, these arrangements were for a time widely known, which left the public to conclude that the Crown in the Colony being disposed to pay a lower price than twenty shillings an acre, although tacitly assented to in the first place by the Imperial Government, for fear of amusing the natives at the then critical state of the Colony; were afterwards disallowed.

About this time also another cause of anxiety, affecting unmistakable indications of the growing dissatisfaction of the natives towards the Government, as well as towards the settlers generally, presented itself. A mysterious flagstaff (Russell), begun and abandoned as a sign of the assumption of New Zealand by the British Government, was commenced to be held as a native named John Heka who afterwards made himself notorious in the wars in the north, took a prominent part, the subject of discussion being the cutting down of the flagstaff.

In the month of August, 1844, Heke assembled a party of armed men, and proceeded to Kororareka, where he spent Saturday and Sunday in alarming the inhabitants, and early on Monday morning mounted the hill, and cut down the staff.

The news of Heke’s proceedings being made known by Governor FitzRoy, he immediately made application to the Government of New South Wales for troops, and sent thirty men from the small detachment stationed at the capital to Russell, with directions to the Police Magistrate to replace the flagstaff, and to preserve in temporary and conciliatory measures until self defence should render hostility unavoidable.

The Governor, after the troops arrived from Sydney, visited the district and explained to the natives, the intention of the British Government, and assured them that he had no desire to seek the removal of the town. Heka’s answer to the request was that their guns to be given up as an acknowledgement of the insult. Upon this, some of the chief delivered up their guns, but Heke however stood aloof and would not take part in the proceedings.

On the 6th of March, 1845, the news arrived at Auckland of a collision between the natives and the Hatter’s premises. The flagstaff had been replaced on the hill over Kororareka, and again cut down by John Heka. Hostilities began by an attack of a plundering party upon the houses of a settler. On the 11th March, John Heke and a party of natives again got possession of the flagstaff which was the key to the position, and afterwards made an attack on the town, which resulted in its destruction with the loss of many lives. During the attack the houses in the town exploded, and wounded a number of persons, besides causing the destruction of much valuable property, and the loss of all the ammunition.

The town had ultimately to be evacuated, and the settlers were compelled to seek refuge in Auckland.

When the three ships which conveyed the refugees from Kororareka were seen in the offing, the Auckland people welcomed the arrival most joyfully, supposing they brought troops from England. Their hopes were changed to deep forebodings when the truth became known, but the disappointment did not check their endeavours for the benefit of the unfortunate thus thrown upon their charity, and every exertion was made to rescue the wounded, and provide for the pressing wants of the destitute refugees, about 400 in number. The first steps taken were to raise a relief, amounting which the Imperial Government had for some time remitted to Government House, but by a loan to Government House in the previous year, (1844), His Excellency had agreed with the Legislative Council in the propriety of devising the enlargement of a militia ordinance, as highly objectionable on the
grounds of its being calculated to raise the suspicions of the natives, and quite inadequate to overawe them; as likely to prove most inconvenient to the widely scattered settlers, and moreover, as being barely practicable, because there were not 600 stand of serviceable arms in the Colony, and very little ammunition, while the local Government had not the means of buying either arms, ammunition, clothes, or accoutrements, or even of paying adjutants or drill sergents. These and other considerations had therefore made the Council unanimous to pass the Militia Bill for the following year, when the armament had been destroyed, and the attack of others was threatened, the case was totally changed, and it became imperative to resort to every possible expedient in self defence. Accordingly an ordinance was passed to that effect in March, 1846.

John Heke, or Hone Heke Pokai, who had made himself so conspicuous during the disturbances at Kororareka, was not merely a disaffected man, but was influenced by an insatiable ambition and unbridled ferocity, which was not without the watchful eye of his countrymen. This incurred the chief Tawiti. Waikere Neve to take up arms against the rebel although related to him, being satisfied himself of the integrity of the British Government, and discerning amidst the alleged causes of Heke's dissatisfaction a lurking ambition which if gratified would undermine his own and other chiefs' position and authority. He called his adherents round the British flag, and by his prudence and conduct interrupted an effectual barrier to the accomplishment of those schemes of distinction which were contemplated by Heke. Waikere's example soon influenced others, and his bands were strengthened by Tawiti, Rangiwhaia, Tawiti and others, who with their respective adherents declared themselves the loyal supporters of the British Government.

The united forces of these chiefs pressed hard upon the rebels, and were of the most essential service, for they alone arrested Heke in the devastating career he had planned, and gave him ample employment in providing for his own safety, until the regular force of the Colony was augmented by reinforcements from New South Wales, and even after the arrival of the troops, their aid and co-operation were indispensable; but for their assistance offensive operations could not have been commenced without great risk, and the transporting ammunition and supplies from the sea coast to the interior through many tribes having more or less sympathy with the rebels could not have been effected without their aid.

Subsequent to the destruction of Kororareka in March, 1846, when Heke, unhindered by his successes, was threatening to commence further depredations in the North, and to march upon Auckland, which was then in a very unprotected state, Waikere and other chiefs rose, and created a diversion in favor of the Europeans, by falling upon Heke's rear. Their first skirmish with him took place early in April, when they were completely successful thus not only creating a diversion in favor of the Europeans, but greatly diminishing Heke's influence by injuring his reputation as a commander.

When the British troops reached the scene of operations at the Bay of Islands in the month of May, those friendly chiefs joined them with their followers. They had at one time 800 men on the field, and the average number of their followers under arms throughout the disturbances in the north may be estimated at between three and four hundred men.

Walker Neve received a pension of £100 for life, for the services rendered by him to the Government, and several other chiefs had smaller sums.

Patronne, Heke's brother, received forty acres of land on the north shore, near Auckland, and the title of the chief of the Ngapuhi tribe in 1846, the Ngapuhi tribe, as if to recover every vestige of defeat, erected the flag-staff at Kororareka, which had been cut down by Heke in 1845.

On the 30th of April, 1846, Lord Stanley signified to Governor FitzRoy her Majesty's disallowance of the ordinance authorizing the issue of decretes to the amount of £25,000, and making the same a legal tender, on the ground that the local legislature in passing it had assumed a power they did not really possess, and that the ordinance itself was a direct infringement of a principle, "co-extensive in its operations with the colonial possessions of the British Crown." A dispatch bearing the same date conveyed to the Governor, his recall for reasons which were stated at considerable length by Lord Stanley in a communication dated May 24, 1846. The general causes assigned, were: "the defects in clemency, firmness, and punctuality," which had occurred during his administration, and the repeated infringement of his instructions. The more specific grounds of complaint were, the want of personality in acquitting her Majesty's Ministers with his proceedings, the making paper money a legal tender, permitting the natives to sell land without a concurrent fee to the Government, the temporary abolition of the customs duties, and other measures equally objectionable.

The announcement of Governor FitzRoy's recall, although, as before stated it bore the date of the 30th of April, was not despatched until the 30th May, his explanations of the extenuating and pressing emergencies which had induced him to infringe his instructions arrived at the Colonial Office only a few days before the recall was announced.

When the report first reached the Colony that Governor FitzRoy was recalled, it was announced that "her Majesty would send a very different kind of man to govern New Zealand, one who would soon teach the natives to know their proper place." Official intimation of his recall was not received by the Governor until September, 1846.

The gentleman appointed in his stead, was Captain (now Sir George) Grey, who was appointed from the Government of Scott Australia, a Colony, whose affairs he had administered during a critical period with singular ability and success, who has deeply studied the character and capabilities of the aborigines of Australia, and whose name is...
will be remembered has been mentioned in describing the progress of discovery and exploration in that vast island continent.

Great excitement prevailed among the Maori population on hearing of the supersession of Governor FitzRoy, and its reputed cause, and a considerable number of friendly and influential chiefs proceeded to Auckland, to learn from his own lips the true state of the case. He used his utmost influence to dispel their apprehensions and assure them, with a generosity which under the circumstances, it would be difficult, to praise too highly, that if he had been permitted to choose a successor whose administration he thought would be just and equitable towards the natives, his choice would have fallen upon Captain Grey, than whom, judging from what was publicly known of him, no one could be better qualified for the government of New Zealand.

The new Governor arrived in Auckland on the 16th of November, 1846, and on the 19th was duly installed. Money and troops to a considerable extent were at once placed at his disposal, his salary as Governor was fixed at £2,500 per annum, and almost unlimited confidence was reposed in him. His Excellency at once perceived that a great deal of discontent prevailed throughout the country on the part of the European population arising principally from the large amount of Government Debentures (nearly £37,000) then in circulation, any fall in the value of which would necessarily produce disastrous consequences; the local Government had not confined the issue of paper money to the amount which had been rendered a legal tender by the Ordinance, viz., £15,000 but that debentures had been issued to the extent of nearly £20,000. No return had ever been made of the amount of debentures which had been issued, and the public were wholly ignorant whether the amount legalized by the ordinance, had or had not been exceeded. The disallowance of the Ordinance although known in the Colony six weeks before the Governor arrived, had not been publicly announced, it was necessary therefore, as his Excellency did not feel justified in delaying to notify the disallowance of the Ordinance, as transactions of considerable magnitude were constantly taking place which the parties concerned in which were necessarily acting under a local misapprehension and the result of the disallowance was the general alarm and uncertainty in the mind of the public, as well as the effect likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.

While these measures were taking place in Auckland, a large number of natives were in arms against the Government in the Bay of Islands, under the united leadership of Hoke and Kawiti. The Governor shortly after his installation repaired to the scene of operations to ascertain whether Hoke and Kawiti would accept the terms of peace which had been offered to him by his predecessor, and to inaugurate, on the spot, a careful inquiry into the matters which had occurred at his instance to elucidate the evils likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.

While these measures were taking place in Auckland, a large number of natives were in arms against the Government in the Bay of Islands, under the united leadership of Hoke and Kawiti. The Governor shortly after his installation repaired to the scene of operations to ascertain whether Hoke and Kawiti would accept the terms of peace which had been offered to him by his predecessor, and to inaugurate, on the spot, a careful inquiry into the matters which had occurred at his instance to elucidate the evils likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.

While these measures were taking place in Auckland, a large number of natives were in arms against the Government in the Bay of Islands, under the united leadership of Hoke and Kawiti. The Governor shortly after his installation repaired to the scene of operations to ascertain whether Hoke and Kawiti would accept the terms of peace which had been offered to him by his predecessor, and to inaugurate, on the spot, a careful inquiry into the matters which had occurred at his instance to elucidate the evils likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.

While these measures were taking place in Auckland, a large number of natives were in arms against the Government in the Bay of Islands, under the united leadership of Hoke and Kawiti. The Governor shortly after his installation repaired to the scene of operations to ascertain whether Hoke and Kawiti would accept the terms of peace which had been offered to him by his predecessor, and to inaugurate, on the spot, a careful inquiry into the matters which had occurred at his instance to elucidate the evils likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.

While these measures were taking place in Auckland, a large number of natives were in arms against the Government in the Bay of Islands, under the united leadership of Hoke and Kawiti. The Governor shortly after his installation repaired to the scene of operations to ascertain whether Hoke and Kawiti would accept the terms of peace which had been offered to him by his predecessor, and to inaugurate, on the spot, a careful inquiry into the matters which had occurred at his instance to elucidate the evils likely to result from the notification of its disallowance, and a notice was accordingly published in which it was stated that in all cases in which debentures for an amount not less than seventy pounds were tendered at the Colonial Treasury, one-fourth of that amount would be at once paid in specie, and a debenture for the remainder, and for the interest due upon the debenture so tendered will be issued one week subsequently. The debentures thus issued were to bear interest at the rate of eight per cent per annum, and payable at any time at the option of the local Government after three months notice to the Government Gazette.
rebels and the consequent restoration of tranquility in the northern district of New Zealand.

Hereafter making peace with the English ceased from physical strife but kept up agitation by talking and writing to the time of his death in 1856.

Kawiti fell a victim to measles in 1854.

During the northern war an insurrection smouldered in the south. The great bone of contention was the occupation of the Hutt Valley, in the neighborhood of Wellington, by the natives, and their refusal to permit the settlers to take peaceful possession although the alleged cause of the opposition had already been adjusted by Governor Bettsley.

Early in March, 1846, the natives commenced an attack upon the settlement by plundering sixteen or seventeen houses in the valley of the Hutt, to revenge which Colonel Hulme marched 800 soldiers into the district. The natives on their approach withdrew to a path in the neighboring hills, and as the position was unsuitable without heavy loss, 200 soldiers were left in the valley for protection.

In the meantime the Governor arrived at Wellington, followed by several vessels bearing troops for the purpose of suppressing the disturbance. Several influential chiefs of the Middle Island at once expressed their intention of maintaining the cause of the Government. Te Rangihetae likewise waited on the Governor, both he and Rangihetae expressed their willingness to assist in expelling the natives from the Valley of the Hutt which the Governor—considering the claims of the New Zealand Company fairly established—had given the native notice to evacuate by a certain day. They agreed to this, but demanded crops which they must leave on the land. The Governor however refused to enter into this question until the Europeans should have been suffered to take peaceful possession.

Unintimidated by the unexpected presence of so large a force, the majority of the natives gave way, and of the three hundred fighting men who had occupied the disputed territory, all but about twenty speedily removed from it with their families and properties.

At the beginning of April, (1846), a barbarous murder was committed by some of the natives under the protection of Rangihetae, who refused to give them up, and began to erode upon hostility to the Government.

Rangihetae continued to profess friendship, but there were circumstances in his conduct which inspired doubts of his sincerity.

The Government had desired to delay the commencement of field operations until summer weather, but the repeated outrages of the natives defeated this intention; he therefore sent round troops to occupy and fortify a position at Porirua, close to Hutt, and at the same time ordered some forces which were in arms in the country to proceed to Porirua, with instruction to take no interruption to the formation of the roads (on which a large number of the friendly natives were engaged), and ceased to molest the settlers; but this was in a very brief duration.

On the 16th of May, the natives attacked one of the outposts in the Hutt, under Lieutenant Page, and a detachment of fifty men of the 60th regiment, which resulted in the loss of six killed and four wounded. Another affair took place in the following month, the natives who had been hovering about in the neighborhood of Benoota farm in the Hutt, attacked a reconnoitering party who were out to ascertain the position of the enemy, and wounded several of the party.

Encouraged by these successes, the rebels assumed a more contemptuous tone, and the parties of natives from the interior who were proceeding to join them, as well as those from other parts of the island, were so elated that the necessity for decided and speedy measures became urgent, but only to discourage the disaffected, but to inspire the native allies more fully with that confidence which they were rapidly losing. The rigorous steps adopted were such as had comparatively little precedents.

The ships of war hovered upon the coast, the soldiers and marines were stationed at favorable points, while the friendly natives pursued Rangihetae into the fastnesses whither Europeans could not penetrate.

By this time Rangihetae's treachery was indisputably manifested, and whilst he and his chief of the Ngati tribe were professing the warmest friendship for the Europeans, they were secretly assisting Rangihetae.

If a Governor, on learning the deceitful manner in which Rangihetae was acting, determined to secure him by stratagem, and measures were taken to carry out the plan which resulted in the capture of Te Rangihetae, Te Kanae, and Hohope Tamahriga, together with two interior chiefs, the whole of whom were conveyed on board a ship of war, and detained as prisoners.

The unexpected capture of Rangihetae appears to have struck terror into the natives; and the Ngati, his own tribe, to prove their fidelity, volunteered to assist in attacking Rangihetae, and actually did take the field, though, it was a matter of great doubt which side received most benefit from the service.

Shortly after Rangihetae's capture, Rangihetae abandoned his path at Pahatunui, and accompanied by a considerable number of his followers whose number were also augmented by a reinforcement of disaffected natives from the neighborhood of Wanganui, took up a position at the head of the Horowit Valley, from where they were finally dislodged by the British forces in conjunction with friendly natives, who, after pursuing them from place to place, terminated the proceedings by totally dispersing the enemy.

The war parties were now routed, Rangihetae, their thinking man was a prisoner; Rangihetae, their fighting warrior a fugitive; Te Hien Hien, the only chief of note who refused to acknowledge the Queen's authority, and who sheltered the enemy in his
inaccessible dominions round Tahiti, was at this critical juncture buried alive with fifty-four followers by an immense land ship.

During the skirmishes with the rebel natives in the Valley of the Hutt, and the neighbouring country, the chief Honiana te Puni of the Ngatiawa tribe aided by his followers, rendered most valuable assistance to the British forces, as well by honest and judicious advice, as by active and courageous co-operation.

E. Puni had previously attained considerable distinction amongst the colonists as having been a very rare instance of a native steadfastly adhering to a bargain respecting land. Throughout numerous disagreements between the Company’s agents and settlers and Government officials, he resolutely maintained the integrity of the contract into which he had entered, and the friendship of the colonists to whom he had promised his assistance in colonizing the country.

Mr. Alexander Currie, one of the directors of the New Zealand Company, sent E. Puni a handsome silver vase, bearing an appropriate inscription in the native language, from England, as the present of a private individual accompanied by a letter, begging him to hand it down as an honour to his posterity, in order to encourage them to follow his example.

A festival was held at Wellington in June, 1847, on the occasion of the presentation of the vase by Mr. Petre, and the chief afterwards acknowledged the well-timed testimonial in a letter which did equal credit to himself and to the donor.

The Government also in recognition of his services, gave him a pension of 650 per annum.

The old chief closed his earthly career at Pitane, about eight miles from Wellington, on the 5th December, 1870, and was buried on the 9th in the cemetery near his late residence, in the presence of a large assemblage both, Europeans and natives. As a staunch friend of the early settlers, the General Government gave him a public funeral, at the head-quarters, at the request of the natives, as also of Waika Nene and Te Wherewhery, whom he was, at their request, responsible for their friends.

Raparapahua, who survived his release from confinement eighteen months, was born between Mangatautari and Kawhia, in the Auckland Province, about the year 1795, and died at the north in terror of Mangin 1822. Here he conquered and drove the scattered native population away from both sides of Cook’s Strait, and took possession of their land. His death took place on the 27th November, 1849.

Rapapahua died in 1850, aged seventy; this chief born animosity to the English in his gloomy days, but his followers rose to their defence. In 1848, at an assembly of his countrymen at Otaki, Rangitata met Governor Grey on which occasion he wore a dog skin mat, and feathers in his hair, every part of his dress was carefully nature, a circumstance characteristic of his position, as he was surrounded by men having little sympathy with him, who had given in their adherence to the Queen, and were all distinguished by some article of European dress.

Rapapahua, who played so conspicuous a part in his efforts to prevent bloodshed at the unfortunate Waikato, was possessed of a ready wit, which enabled him to effect a possible settlement of the disputed question which originated the affair, as also his interference on subsequent occasions to maintain peace between the two races, are well known masters of history) died at his own village Teokupuahia, Porirua Harbour, on the 6th September, 1868. His health had been declining for many years previous to his death, and for the most part although appearing to take little interest in passing events, when any important question had to be discussed, he was in the forefront of the discussion. His last words were addressed to the King and the influence he possessed, combined with the prestige of his reputation gave almost irresistible weight to his opinion. He always acted in a calm, deliberate, yet imperial manner in settling quarrels and disputes amongst his own people, and maintained a high character as a consistent and conscientious Christian.

Rawiri Pasha was born at Kawhia on the West Coast of the North Island, and was descended in a direct line from the principal family that migrated from Hawaiki many years ago in the famous canoe Tama T. The voyage was sighted land at Whanganui, near the East Cape, and coasting along northwards till they entered the Teohu river, dragged their canoes across the Ochucha portage, once more embarked on the waters of Manukau, and sailing onwards touched at Kawhia where they settled down, and their descendants have dwelt there ever since. Little is known of his early history, but when the Waikato tribe under Te Huki invaded the Waikia territory and compelled Te Raparapahia to retreat southwards, Pasha though related to the Ngatiheuma tribe, who being protected by the Ngatihamatuio were safe from aggression, joined the retreating party of Ngatiawa, and fell back to Taumatai. Being hard pressed by the Maoris, the Ngatihamaua offered to retreat with them at Mihi, and a desperate battle ensued which ended in the defeat of the Waikato. They were repulsed with great slaughter, many chiefs of note fell, including Huki the leader of the expedition, and Raparapahia was permitted to retire unmolested with his followers to Kapiti.

Rawiri Pasha took to wife Waitahi, the daughter of Te Pahi, a chief of the Ngatiawa tribe, who was subsequently slain about the year 1980, by the Ngatiheuma tribe at Napier, who were afterwards attacked in revenge by a combined force under Te Raparapahia, and almost annihilated.

A considerable number of Rawiri's European friends attended his funeral. About five
hundred-natives were also present, who after the funeral service had been held, filed a
farewell volley over the grave of their chief.

In the spring of 1845, the New Zealand Company made an effort to re-open a
negotiation with the Imperial Government, and on the 1st of May, the directors, as a
preliminary step appointed a number of their members to act as a special Committee, with
full authority to conduct and conclude any arrangement essential to the promotion of the
Company's views. The plan ultimately proposed to the Government, by the Committee, for
adhering the difficulties under which the Company was then laboring, was the cession of
the Middle and a portion of the Northern Island into a fresh Province, and conferring the
Government of it upon a Company in which the original Company was to merge, the new
establishment to be formed on the model of the old proprietary Government on the North
American Continent.

This proposition was rejected by her Majesty's Ministers, who, however, intimated that
if the New Zealand Company had any other offer, founded upon wholly different principles
for relieving themselves, the Colony, and the Government from the embarrassment
consequent upon the then unsatisfactory state of their affairs, the discussion of it would be
entered upon with earnest desire to find a satisfactory solution of existing difficulties.
Here the matter ended for the time, the Company not choosing to offer any proposal
calculated to confer on them a diminished monopoly.

In the following July, the Company again solicited from the Government an
arrangement of their land claims, and a fresh loan of £150,000, to enable them to resume their
colonizing operations.

The application for the loan was founded on the expenses and losses of the Company
which were deduced as forming a valid claim on her Majesty's Government. Lord Stanley, in
her reply of the 30th August, 1845, refused in the most unequivocal manner to admit or
recognise any such claim. But on consideration of general policy, and principally on
account of the large body of her Majesty's subjects, who had expended much of their own
capital and formed part of the expenses of the Company's operations, her Majesty's Minister agreed to recommend Parliament in the ensuing session to grant a loan of £100,000, for seven years to the New Zealand Company, to be applied solely to satisfying and purchasing native claims, and for surveys and surveying staff. The lands of the New Zealand Company were to be mortgaged to the Crown, which mortgage might be foreclosed at the end of seven years; interest to be paid at the rate of three per
cent per annum.

The extra £50,000 asked by the Company for the "completion of the engagements entered into with the settlers at Nelson, for expenditure on religious and educational purposes, and for steam navigation," was refused for the very sufficient reason that the Company was bound to satisfy those claims from their own resources.

The promised loan of £100,000 was accepted by the Company, and an Act to authorise it, and promote colonization in New Zealand, was passed by the Imperial Parliament in 1846.

The necessity for a fundamental change in the system of Government adopted by the
charter of 1835 having become apparent, an Act of Parliament (5 and 10 Vict. C. 14, Sec. 11), was passed by the Imperial Legislature for the better Government of New Zealand, under which a charter was issued for the introduction of a new constitution, by which the
colonists should enjoy the principles of representative institutions. By this charter the
Colony was to have a Governor-in-Chief, and to be divided into two or more Provinces,
each having a Lieutenant-Governor, an Executive Council, and a House of Representatives.
The members of the Legislative and Executive Councils were to be nominated by the Governor,
and elected by the people; no person could exercise the elective franchise who was unable to read and write English. Until further notice orders should be given, that the three islands of New Zealand were to be formed into two Provinces, to be called "New Ulster," and "New Munster," the former to comprise the whole of the upper or
Northern Island, except such parts adjacent to Cook's Strait, (Wollongong, Wanganui, &c.),
as the Governor-in-Chief might exclude; the parts excepted together with the Middle and
Southern Islands to constitute "New Munster." Each Province was to have an Executive Council, (comprising the Colonial Secretary, Attorney-General, Colonial Treasurer, officer in charge of the troops, and such other persons as may be deemed necessary), to aid with their advice the administration of the Government.

The functions of the five officers contemplated by the 18th clause of the aforesaid
charter, were to be combined in the first place in two persons, and in accordance therewith,
Governor Grey was appointed Governor-in-Chief of New Zealand, and the appointment of
Lieutenant-Governor was conferred upon Mr. E. J. Blyth, a gentleman who like Governor
Grey had won considerable renown as an Australian explorer, and was known to take a deep
interest in the welfare of the aboriginal races.

A letter of instructions issued under the royal signet, and signed manually, appended to
the charter, gave copious and detailed explanations of its provisions, and of the manner in which they were to be carried out. The course of policy to be adopted with regard to the land question, was very different from that herefore followed, and fresh regulations were issued in place of the Australian Land Sales Act, under which the Waste Lands had been previously managed.

The time for promulgating and carrying out the charter was left to Governor Grey,
who availed himself of the discretionary power granted him by delaying its introduction, and
lost no time in representing to the Government his reasons for doing so. In several of his
dispatches, but especially in one, dated the 3rd of May, 1847, the chief objections to the proposed constitution are clearly shown, especially the injustice of giving to a small fraction of one race the power of governing a large majority of another, and of appropriating as they may think proper a large revenue, raised chiefly by taxation from the latter. On the receipt of this intelligence by the Imperial Government, the introduction of the Act was delayed, owing to the unsettled condition of the Colony, and the numerical disproportion of the two races inhabiting it; but in order to secure to the Colony the indispensable functions of a legislative body during the period for which it might be necessary to postpone the introduction of representative institutions, the act of Parliament was invoked, and an Act passed to empower the Majesty to suspend for the period of two years the execution of any part of the Letters Patent of the 23rd December, 1846, as relates to the establishment of a separate Assembly in each of the two Provinces into which the Colony was then divided, and to the establishment of a General Assembly of New Zealand, and so much of the instructions issued therewith as relates to the concurrence of separate Legislatures for each Province, and of a General Legislature for the whole Colony, and, in lieu thereof her Majesty was empowered to reconstitute, for the same limited period, the Legislative Council established by the Letters Patent of December, 1846, with the same powers it possessed before its abolition, and with certain additional powers. The reconstituted Council to consist of the persons to whom seats were originally assigned, with power to the Governor to add to their number.

In furtherance of this arrangement a Legislative Council was formed at Wellington, for the Province of New Munster, under the administration of Lieutenant-Governor Eyre, (who arrived in the Colony in 1847); Governor Grey superintending the affairs of the Province of New Ulter, with a Legislative Council at Auckland, and at the same time fulfilling the functions of Governor-in-Chief.

The first meeting of the Legislative Council of New Munster was opened at Wellington, by the Governor-in-Chief on the 21st December, 1848.

In November, 1847, on the arrival of the Lieutenant-Governor of New Munster, Major Richmond, the Superintendent of the Southern Division, who had hitherto managed the affairs of the portion of the Colony comprised within the new Province, was removed from his post at Nelson, with a view to bring him into closer communication with the Department of Wellington on the southern shores of Cook's Strait, in which capacity he acted until the office terminated, on the election of Mr. F. W. Stafford as Superintendent under the new Constitution Act in May, 1848.

In December, 1847, the Governor appointed Major General Pitt, the officer in command of H.M. forces in New Zealand, to be Lieutenant-Governor of New Ulter, and to assist in the administration of the Government of New Zealand as provided by the 22nd section of the Act of 1845, in the absence of the Governor.

In the month of April, 1848, a disturbance broke out at Manurewa and Wanganui, the origin of which was caused by a midshipman of H.M.S. Callopio, accidentally wounding a native with a pistol, through the upper part of the head, and the wound appearing likely to prove fatal, the natives, in retaliation, murdered several members of a family named Gillian. Five of the murderers were delivered up by friendly natives, four of whom were executed, and one was sentenced to transportation for life, on account of his youth.

On the 10th May, the natives set fire to all the houses of Wanganui. The inhabitants retreated to several fortified houses in the rear of the military position, and for five hours the enemy kept up a fire on the stockades from the shelter of the deserted town houses. From the stockades, and a gunboat on the river, a constant fire of shot and shell was maintained, without disturbing the dialogue; and in the night the latter plundered the town, stole and killed cattle, and decamped. After this the natives resumed their ordinary guerrilla style of warfare, stealing the cattle and sheep, and burning down the dwellings wherever they had the opportunity. The Governor, having arrived at a proper state of preparation about the 10th May, proceeded from Auckland, accompanied by Waikino, Te Whare, Whero, and other natives, and Pitt with him reinforcements, both military and naval. An encounter took place on the 18th July, in which the loss on the side of the Europeans was two killed and twelve wounded; that of the natives was supposed to be considerably more, an insurmountable fact, the British having on previous occasions been the greatest sufferers, even in respect of the amount of bloodshed, and in all other points incomparably so; the insurmountable nature of the country, leaving them as resource, but to remain in fortified positions, until necessity should assist to come and attack them; their opponents, meanwhile, maintaining no injury but what might result from contests provoked by themselves, or from the temporary deprivation of such articles of convenience, or luxury, as their advance in civilisation had rendered customary and valuable to them.

After several conflicts hostilities ceased, but peace was not proclaimed, as the natives would not submit themselves by asking directly for it. The blockade up and down the river was consequently continued, and the natives became heartily sick of war conducted upon a system to which they could offer no effective resistance. At the end of the year (1847), they wrote to the Governor begging for peace. On the 21st of February, 1848, the principal chiefs met his Excellency at Wanganui, and in the presence of Major-General Pitt, commanding the troops in New Zealand, peace was ratified, and a general pardon granted.

How little interruption to the ordinary pursuits of the natives had been occasioned by the warfare which had well nigh completed the ruin of the remnant of the unfortified settlers, (consisting at first of about 800 persons, but at the commencement of these hostilities reduced to less than 200), who had been induced to locate themselves at Wanganui, may be understood from the following facts. No sooner had peace been
proclaimed, and intercourse resumed between the natives and the colonists on a friendly footing, than the former period to supplies of potatoes for sale, and that, every year it is stated, on trustworthy authority, they reap nearly 2000 acres of wheat, all of which must have passed during the most active part of the war.

Notwithstanding the many difficulties the Colony had had to contend with, towards the close of 1847 matters began steadily to improve. The general revenue was rapidly increasing and the internal traffic and commerce gradually so. In the northern Province the Custom revenue alone averaged nearly £20,000 per annum. In Wellington the Custom revenue averaged about £18,000 per annum, with every prospect of a steady increase. Friendly relations existed between the Europeans and the natives, and the affairs of the Province were advancing in a course of prosperity. At Nelson the town and district were in a sound and healthy state, and the revenue, although small, was sufficiently sufficient to meet the legitimate expenses of the settlement. At the period named it had a population of 3,000 Europeans and 600 natives, and upwards of 4,000 acres of land under cultivation.

The settlement of Otago comprised a population of 1,200 Europeans and 800 natives, besides a numerous native population in its vicinity; its revenue was nominally insignificant from the fact of it being poor, but the whole of the Customs duties being paid at Wellington and Auckland; about 1,500 acres were under cultivation by the settlers, and the chief impediment to the future progress of the place was the unsettled state of the land question.

As far back as the year 1843, a settlement had been projected by an association of lay members of the Free Church of Scotland to be founded in New Zealand, under the auspices of the New Zealand Company. When Captain Fitzroy was appointed Governor of New Zealand in that year, he carried out instructions from Lord Stanley, in compliance with the earnest request of the intended colonists themselves, to assign Port Cooper, or Bank's Peninsula, as the site for a Scotch Colony (at that time named New Edinburgh), provided that a better site could not be found in the Middle Island. Mr. Tuckett having been appointed by the New Zealand Company (whose chief surveyor at Nelson he had been), to the protection and service of the formation of the proposed New Edinburgh, suggested the propriety of previously exploring the south-western and southern coasts of the Middle Island, in order to determine the most desirable site, a suggestion that was immediately adopted. Accordingly an exploring party sailed from Nelson in March, 1844, for this purpose, which led to the selection of the present site of the City of Dunedin and the surrounding country as a suitable site for the establishment of the new settlement.

A block of land of 400,000 acres was purchased from the natives in July, 1844, through the instrumentality of Mr. John Jerrold Synge, Assistant Police Magistrate at Wellington, under instructions from the local Government, out of which the New Zealand Company's Agent engaged to select 150,000 acres, and to reconvey the remainder to the Crown. An unconditional grant of the whole block subject to certain conditions was subsequently executed to the New Zealand Company in April, 1846, reserving the land reserved to the natives.

In the meantime, however, elapsed before the Otago Association took active measures to colonise the settlement in consequence of the disturbed state of the Colony, but on public confidence being restored in 1847, an influential meeting was held at Glasgow, to give publicity to the principles on which it was to be founded, at which it was announced that the proposed settlement was to comprise 154,677 acres of land divided into 2,400 properties, each property to consist of sixty acres and a quarter, to be divided into three allotments, namely, a town allotment of a quarter acre, a suburban allotment of ten acres, and a rural allotment of the land to be fixed at the expense of each owner, to be divided into 100 lots of 10 acres, or 200 5 acres, or 400 2.5 acres, or 800 1 acres, a property. Priority of selection to be determined by priority of claim. The money realised was to be appropriated as follows:—the eighth for occupation, the ninth for roads, the tenth for religious and educational purposes and the twelfth for the New Zealand Company for land.

The necessary surveys were completed by the Company's officers in April, 1847, and the preliminary expedition under the command of Captain Campbell, the Agent of the Association, sailed for Otago in December, 1847, arriving there in March, 1848. The settlement of Canterbury established in 1850, was originally promoted entirely by the Church of England, and organised throughout upon strictly church principles. It has subsequently passed, however, under the general management of the Colony at large.

The original plan was made in 1846, and Governor Fitzroy selected the Waitarapa Valley as a site for it. The native disturbances in the North Island, however, laid the scheme at rest for four years, and it was only again revived in 1847 by a religious commission in the highest of England. This event was taken advantage of by Mr. E. G. Wakefield, and with the aid of Mr. John Robert Godley, the plan of establishing a Church of England settlement in New Zealand was again revived; and for this purpose, a ten-years' Charter of Incorporation was subsequently obtained, in November, 1849, from her Majesty's Government.

To enable the directors to carry out the scheme, land was to be sold in the proposed settlement at 601 per acre, to be applied as follows:—two-sixths to ecclesiastical and denominational purposes, two-sixths to establish an endowment upon the property of the Association, and one-sixth to the New Zealand Company for the land, and to cover the outlay and risk of loss incurred in opening New Zealand to colonisation.

In July, 1866, the Association dispatched Mr. Thomas, a gentleman who had had
previous experience of New Zealand, as their agent and chief surveyor, to select on his arrival in the Colony, in concert with the Governor and Bishop of New Zealand, the best site to be obtained for the new settlement; this ultimately led to the selection of the country in the neighborhood of Bank's Peninsula, as a suitable locality.

The preliminary expedition of surveyors, accompanied by the resident chief-agent of the settlement, J. B. Geddes, Esq., reached Port Cooper in April, 1850; and in the month of December of the same year, the first body of emigrants arrived, and before the end of 1851, two thousand six hundred colonists had disembarked.

An Act empowering the Canterbury Association to dispose of certain lands in New Zealand, was passed in the 13th and 14th years of the reign of her Majesty Queen Victoria, the management of which they retained up to the year 1852, at which date they lost their Charter, in consequence of their inability to pay the New Zealand Company the proportion of the land fund originally agreed on. The directors of the Association attributed their failure to the immense quantity of land sold, a source from which millions were expected and only thousands realized, and in overrating the ability of the party to which they belonged to form a perfect ecclesiastical organization.

Frequent shocks of earthquakes had been felt in the neighborhood of Wellington anterior to the year 1846, but the most disastrous earthquake on record happened in October, of that year, just nine years after the foundation of the settlement. It commenced on the morning of the 19th, and continued as intervals throughout the day; by its violence walls were cracked, chimneys thrown down, and considerable damage done to property. On the ensuing days many shocks were experienced, followed by tremblings of the earth, until the 19th, at ten minutes past six a.m., a terrific concussion startled most of the houses and public buildings, rocked to and fro in a fearful manner the wooden structures, destroyed three lives (Barrack Sergeant Lovell, and his two children), endangered several others, and filled all the inhabitants with consternation and alarm. Many persons, afraid of passing the night in any of the buildings left standing, in spite of the wild and inclement weather, crowded on board, where they remained for some time, the inundation not being altogether quitted as frightful a scene. Terror and dismay reigned everywhere, the energies of all seemed paralyzed, the specie in the settlement was sent on board H.M.S. Fly, and but for the refuge which the new church at Taaro afforded, there would have been no shelter for the sick and maimed. The shocks and tremblings of the earth continued, and Lieutenant-Governor Eyre, on Friday, the 25th October, proclaimed a solemn fast, which was reverently observed by all classes.

The earthquake was also felt in other places; in the Waimau Valley a farm house, and masses of rock detached from the sides and summits of mountains rolled with thundering crashes into the neighbouring valleys. At Nelson the shocks were less severe than at Wellington; at Porirua and Mangungu they injured the stone barracks; at New Plymouth they were severe, but did no damage; at Kawhia one shock was felt; at Auckland the shock was not felt, but on the 15th of October a westerly gale blew, three and a half inches of rain fell, and the bowenstar sunk to 28°. On the East Coast, the shock was felt at Hawke’s Bay, slightly at Akaroa, but not at Otago. The earthquake was therefore confined to a space upwards of three hundred miles, or between Bank’s Peninsula and White Island.

Before the colonists had recovered from the alarm caused by the earthquake, news arrived of the discovery of gold in California. Discontent, and a desire to acquire wealth more rapidly than by the usual mode of industry, suddenly seized the community, and nearly 1000 able-bodied settlers left New Zealand for San Francisco.

During the absence of labour, and when property was much reduced in value, a letter was received from the Secretary of the Canterbury Association, whether the colonists would be disposed to receive "wages with tickings of leave." Public opinion was decidedly, but temporarily, expressed in different parts of New Zealand, by both the Europeans and natives. The Governor, in a despatch dated the 8th day of May, 1846, forcibly stated the evils which would ensue, not only as regarded the aborigines, but also in the domestication of the colony, which would probably retire into the interior, live among the native population, and contract with their women; whereas Earl Grey declared in a despatch dated 28th March, 1848, that her Majesty would not be advised to send any colonists to New Zealand.

The discovery of gold in Australia in 1851, was the means of attracting a large number of the settlers as well as natives to the gold regions. Those who prospered returned to New Zealand, and from the discovery of gold in California, and gold was destroyed from a similar event in Australia. But it was observed that many of the gold diggers came back; that they went to Australia as Englishmen go to India, to get rich and return home.

In 1849, Mr. Charles King detected gold forty miles from Auckland, in the bed of a mountain stream, and the estimated value of the same was 9,000 pounds, composed of crystalline rocks, and terminating in Cape Colville. Owing however to various causes very little of the precious metal was obtained, one of which was the difficulty of making an effective search for fear of provoking the hostility of the natives on whose land the auriferous discovery had been made, and who notwithstanding an agreement had been entered into between them and the Government for the purpose of working the gold, were very averse to have the resources of the surrounding country developed. The first payable gold was then found in the same stream in 1851.

The suspension of the charter of the company of 1848 produced considerable irritation amongst the colonists, many of whom considered self-government a cardinal point in colonial politics. A constitutional association was formed at Wellington, and at every settlement were got
my public meetings, debates, banquets, memorials, lectures, and petitions for Representative Government. With a view to allay the agitation then prevailing, the Governor-in-Chief, in conformity with the provisions of the 11th Victoria, c. 6, an Act to suspend for five years the operation of certain portions of 9 and 10 Victoria, c. 184, an Act to make provision for the better government of New Zealand, issued a Provincial Legislative Ordinance in 1848, for the purpose of giving self-government to New Zealand.

The Act required that the Council should consist of not less than nine members; members of the Executive to be ex officio members; other members to be appointed by the Governor or Lieutenant-Governor; the number of non-official members to exceed the number holding office; all appointments to be made by letters patent, and to be provisional only, and subject to her Majesty's confirmation or disallowance; the Council to meet once during each year for the dispatch of business, and to have the power of making laws and ordinances required for the good government of the Province, excepting its foreign commerce; six thousand pounds of the revenues to be appropriated by way of Civil List for the public service of the Colony, the surplus to be divided between the Provinces of New Ulster and New Munster.

In 1848-49, in compliance with the provisions of the Ordinance, ten gentlemen, residents of New Munster, were nominated provisionally by the Governor to be members of the new Legislature for that Province, and their appointment was subsequently ratified by her Majesty in January, 1850. The first meeting of the Council was opened at Wellington by the Lieutenant-Governor on the 1st May, 1849. It would seem however that this measure had a very brief existence, as six out of ten of the non-official members resigned their seats during the following year for various reasons, the chief one assigned being that the Lieutenant-Governor had infringed the provisions of the Ordinance by omitting to call the Council together within the time appointed by law; and one member left for England; the Council therefore got broken up, and the remaining members could not continue the meetings required by law to make the Legislature a legal one. The form of Council by this time had become so unpopular, and distasteful to the public generally, that a difficulty was found to induce any other gentlemen of sufficient standing and ability to join it, this led to the total abandonment of the system.

The next measure of the kind that was proposed, was the Provincial Council Ordinance, which made provisions for the election of two thirds of the members by the inhabitants of a Province, and one-third to be appointed by the Governor, the members of the Council to consist of not less than nine members. This Act however was never submitted to her Majesty for confirmation, in consequence of its containing an innovation of a serious character.

In April, 1847, Lord Grey concluded an agreement (afterwards sanctioned by the Act 10 and 11 Victoria, cap. 125) with the New Zealand Company, of which the principal conditions were:—That the Company should obtain from Government a loan of £100,000 (in addition to the £200,000 already lost), and should pay £2,500 a year to a Commissioner appointed by Government to examine the expenditure of the money; and that if, in three years from the date of the agreement, the Company should find it impossible to continue its operations, its assets and liabilities should be handed over on certain conditions to the Government. The three years' probation terminated on the 6th of April, 1850, and the Company after an unavailing attempt to obtain from Earl Grey additional pecuniary assistance, in the form of a guarantee of interest upon this capital and also a renewal of the claims of Government upon them for the advances already made, surrendered their charter in July of the same year, and declared themselves unable to continue their operations, having exhausted the £235,000 advanced to them, under the Loan Acts of 1847-7, as well as the sums they had received for land in the Otago and in the projected Canterbury settlements; the land thenceforth reverted to and became vested in her Majesty as part of the extensive lands of the Crown in New Zealand, subject, nevertheless, to any contracts which were then subsisting in regard to any of the said lands.

On the surrender of the New Zealand Company's charter in 1850, a debt of over £200,000 was imposed on the Colony, with interest after the rate of 5½ per cent on the said sum, or so much thereof as should from time to time remain unpaid; the amount to be paid to the New Zealand Company out of the proceeds of the sales of Crown lands within the Colony. As all the settlements granted under this debt, the liabilities of the Company with a view to facilitate matters and relieve the Colony in a measure of the additional burden, other than to assume the amount on the immediate payment of £200,000; these settlements were complied with, and an Act was accordingly passed in 1856, by the General Assembly of New Zealand, furnishing a loan of £200,000 for the public service of the Colony, a portion of which, to the extent of £200,000, was to be appropriated to liquidate the New Zealand Company's debt.

The repayment of this sum was ultimately charged against the Provinces of Nelson, Canterbury, and Otago, on condition that their revenue was not taken to purchase native land in New Zealand, and an arrangement of the debt between these Provinces was made by the General Assembly in 1856; but as the arrangement did not give entire satisfaction, a second adjustment was made in 1858, by which it was arranged that Nelson should contribute towards the debt: the capital sum of £65,000; Canterbury, £77,500; and Otago, £77,500; subject to adjustment between Canterbury and Otago in case it should be found, that in computing the area of those Provinces, that a larger acreage had been allotted to Canterbury than it absolutely contained.

By the arrangement made by the General Assembly in 1851, on the passing of the Canterbury and Otago Boundary Act, it was arranged that out of the sum £185,000, then
borne by the two Provinces in equal shares, the sum of £51,000 ought to be borne by the Province of Otago, and the sum of £47,000 by the Province of Canterbury.

In 1852, an Act, giving to the Colony of New Zealand a Representative Constitution, passed the Houses of the Imperial Legislature, and the Queen in proroguing Parliament, 'trusted that the constitution might promote the welfare and contentions of the distant but favored land.' This Act provided that there shall be a Governor, a Legislative Council, and House of Representatives. For constituting a Legislative Council, Her Majesty is empowered to authorize any person or persons to whom she may think fit. Members of Legislative Council to hold their seats for life, or until he shall resign or vacate it as mentioned in the Act. The House of Representatives to consist of members to be elected by the inhabitants qualified to vote, as provided by the Act, and every person qualified to be an elector shall have the right to be elected. The General Assembly is empowered to make regulations for the election of members of the House of Representatives, and Provincial Councils.

By the Act the Colony was divided into six Provinces, and for every Province there shall be a Superintendent and a Provincial Council composed of no less than nine members, to be elected by the inhabitants as provided. The Provincial Councils to continue for four years, unless previously dissolved by the Governor.

That part of the Constitution Act of 1848, which made it an obligation on the aboriginal native voters to read and write English was expanded, and subject to the necessary qualification as provided by the Act of 1852, the Maoris could register and exercise their votes as freely as the colonists.

The Act further provides that the natives should be under the laws of the Colony, but the Governor has the power of appointing native districts to be exempt from these laws, and the Sovereign only has the power of purchasing land from the natives.—£7,000 of the £10,000 on the civil list to be spent in native purposes, and the reminder in paying the salaries of the Governor and Judges.

After the cessation of the New Zealand Company the method of disposing of the waste lands of the Colony remained in a state of transition, the statute rules advocated for a time on behalf of the Company, came again into operation, excepting in the case of the Otago and Canterbury settlement which had their own special regulations. These, however, ceased in 1852, owing to the inability of the respective associations to comply with the terms of their original agreement, whereupon the power of disposal over the waste lands comprised in these settlements reverted to the Crown, the land to be administered in general conformity with Clause 72 of the Constitution Act.

In March, 1853, Governor Grey issued regulations reducing the price of Crown lands from £1 to 10s. and 5s. an acre. This change was hailed with satisfaction at Auckland, but at Canterbury, Otago, and Wellington, it was considered to be a serious innovation. Cheap land was a blow to the high price scheme of Canterbury, as few would pay 90s. per acre for what they could get equally as good for 10s., and large quantities were purchased there under these conditions. It was an innovation to the quarter system, as all who leased lands were uncomfortable until they brought them, and those not sufficiently rich to do so, bought portions to diminish the value of the remainder to say, but themselves.

With regard to these regulations, it seemed that the Governor was not empowered to issue them, and an Act had to be passed by the General Assembly in the following year, entitled "the Waste Lands Act, 1854," to enable all purchases made under them.

In the same year 1853, Governor Grey, after canvassing New Zealand and for eight years, obtained permission from the Secretary of State to visit New Zealand. On the institution of a Civil Order of the Bush in 1849, his Excellency was made a Knight Commander, and when invested with the Star of the Order at Auckland, the natives chose Wake Nana of the Bay of Islands, and Te Puni of Wellington to be chosen stewards of the new made Knight. To Sir George Grey the people of New Zealand are much indebted, for the liberal Constitution of 1852. The departure was made with different feelings at the several settlements, the aborigines looked upon it with regret. The Governor sailed for England on the 31 December, and on arriving there he was made a D.C.L. by the University of Oxford.

After Sir George Grey's departure Colonel Wynyard C.B., senior military officer in the Colony, who had previously been appointed Lieutenant Governor of New Ulster, in April 1854, in the place of Lieutenant Governor. This, however, assumed the administration of the Government in 1854, which capacity he held until the arrival of Colonel Grey Brownes in September 1854, as successor to Sir George Grey.

The Constitution Act was officially proclaimed in the Colony in January 1853, and the first elections took place under it in September, 1853. The first meeting of the General Assembly was opened at Auckland on the 27th May, 1853, with an address by Lieutenant Governor Grey, who was then administering the Government of New Zealand, in which he was urged upon the Assembly to make a law of forming a cabinet. Grey was found however that the Constitution Act made no provision for the establishment of responsible Government, and on the 9th June, 1854, the House resolved that, "among the objects which the House desires to accomplish, without delay, both as an essential means whereby the General Government may rightly exercise its due control, over the Provincial Governments, and as an indispensable means of obtaining for the General Government the confidence and attachment of the people, the establishment of ministerial responsibility in the conduct of Legislative and Executive proceedings by the Governor."
In conformity with the resolution, a provisional arrangement was made by the officer administering the Government summoning to the Executive Council, three members of the Legislative Assembly, and shortly afterwards, one member of the Legislative Council to hold their seats, "as long as they could command the assent of the majority of the Legislative bodies," and he declared that he would "repose in them his entire confidence, while carrying on the Legislative business of the Government through the Assembly."

The arrangement not proving satisfactory, the question was referred to her Majesty's Ministers for complete adjustment, and at the close of the session of 1854, the officer administering the Government transmitted to England the proceedings which had taken place relative to the establishment of responsible Government, and by a despatch of the 5th December, 1854, the approval of her Majesty's Government was transmitted to the Governor.

During the session of 1855, Colonel Gore Browne the successor to Sir George Grey arrived in the Colony, and in prologuing the House, his Excellency said: "He was prepared to carry out in its integrity the principles of Representative Government, and to give his confidence to each minister as should possess the confidence of the Legislature.

In his speech upon opening the General Assembly of 1855, the Governor invited the attention of the Legislature to the establishment of the system of responsible Government, and arrangements were therupon made for the retirement of the officers of the Government holding place in the Executive Council, and the appointment of each member of the General Assembly to fill those situations as possessed the confidence of the Legislature.

The foregoing arrangement included the management of every political interest except native affairs. These were reserved in the hands of the Governor, and though he might consult his ministers upon them, he was not bound to take their advice. In 1856, the Imperial Government accepted an arrangement, made between the Governor and the Colonial Ministers to the effect that the management of native affairs should be transferred to the Colonial Government; but afterwards, in the course of the same year, the Legislative Council and the House of Representatives (who had not been previously consulted in the matter), declined to accept such unconditional transfer, and in April, 1856, intimation was received by the Governor that her Majesty's Government and finally decided to relinquish absolutely the control of native affairs to the Colonial Government. In November, 1856, the General Assembly passed resolutions accepting the responsibility thus placed upon the colonists, and at the same time recorded their firm determination to use their best endeavours to secure a sound and lasting peace, to do justice to both races of her Majesty's subjects, and to promote the civilization and welfare of all classes of the inhabitants of those Islands.
A NARRATIVE OF THE PRINCIPAL SUBJECTS INCLUDED IN THE WORK.

In the year 1839, the New Zealand Company was formed in London for the purpose of colonizing the Islands of New Zealand, and notwithstanding considerable opposition to their project from the Imperial Government, the promoters resolved to persevere in their scheme, and dispatched a preliminary expedition, under the charge of Colonel Wakefield, in a vessel named the Tory. The Company’s instructions to Colonel Wakefield were, to proceed direct to Cook’s Strait, in New Zealand, and purchase as much land as possible on either side of the Strait. The Tory sailed from Plymouth on the 13th May, 1839, and reached her destination on the 17th August, 1839.

Shortly after his arrival, Colonel Wakefield entered into a treaty with the natives for the purchase of land, and, in the course of three months, concluded three purchases, extending from the 38° to the 41° latitude on the West Coast, and from the 41° to the 42° on the East Coast; the deeds of purchase being dated respectively the 27th September, 1839, 28th October, 1839, and the 9th November, 1839. To the first of these, in obedience to Colonel Wakefield’s instructions from the Company, which required him to make a similar stipulation in every deed, is appended a condition that a portion of the land ceded by the native chiefs, equal to one-tenth part of the whole, would be reserved and held in trust by the New Zealand Company for the future benefit of the said chiefs, their families and heirs, for ever. The second and third deeds likewise contain a promise of native reserves, but the quantity is not specified, these deeds merely reserving that portion of the land ceded by the natives, suitable and sufficient for the residence and proper maintenance of the said chiefs, their tribes and families, will be reserved by the said New Zealand Company, and held in trust by them for the future benefit of the said chiefs, their families and successors, for ever. The quantity, in so far as the Nelson settlement was concerned, was ultimately fixed by the terms of the prospectus issued by the Company, in London, on the 18th February, 1841, in terms of which the quantity of land to be offered for sale was fixed at 201,000 acres, divided into 4,000 allotments of 201 acres each, to comprise three sections—one rural, one suburban, and one town acre; and it was expressly provided, that a quantity of land equal to one-tenth of the 201,000 acres was to be reserved for the natives, so that the quantity of land to be appropriated consisted of 221,100 acres.

The principle on which the native reserves were made by the Company within their purchases, was confirmed by the Crown in the agreement made by Lord John Russell with the Company, in 1840, prior to the issue of their charter.

The quantity of land claimed to be purchased by Colonel Wakefield under the terms of the aforesaid deeds, amounted to 20,000,000 acres. The consideration paid, consisted entirely of articles of barter, the value of which it is difficult to determine. The value of the goods paid to be sent out in the Tory and the Cuba, was estimated at £17,000—a portion of which only had been paid to the natives; the rest, which remained in the hands of the Company’s Agent, was subsequently sold by public auction, in Wellington, and realised £7,000.

Formal possession was taken by Colonel Wakefield of Port Nicholson, or Wellington district, on the 30th September, 1839. He landed with his party under a salute of twenty-one guns from the Tory, and hoisted the New Zealand flag at a spot where a tall flagstaff had been erected, and, after “planting the flagstaff,” he took formal possession of the harbour and the district for the New Zealand Company. No public demonstration appears to have accompanied the conclusion of either of the subsequent deeds of purchase.

In the same year—1839—that the Company commenced their operations, the Imperial Government, in consequence of a large body of her Majesty’s subjects having taken up their abode in New Zealand, considered it advisable for the protection of the inhabitants, whether European or aboriginal, to establish a form of Civil Government amongst them, as the only means of averting the evils which an unauthorized settlement of the islands appeared to threaten; and accordingly, Captain Beechey, of H.M.S. Beaufort, who had formerly visited and reported on New Zealand, was appointed by her Majesty’s consul, in July, 1839.

He sailed from Sydney on his way out from England, and, after taking the necessary oaths of office, sailed thence in December, 1839, and arrived at the Bay of Islands on the 29th of 14th January, 1850.
January, 1840. On the following day, the commission extending the limits of New South Wales so as to comprehend New Zealand, and appointing Captain Hobson Lieutenant-Governor over such parts of the Islands as had been or should hereafter be ceded in sovereignty to the British Crown, and the proclamation announcing the assumption of her Majesty's authority in New Zealand, and the illegality of any title to land not confirmed by the Crown, were formally read to the settlers assembled at or near the site of the present town of Russell.

On the 5th February, a meeting was held between the Governor and the principal chief's of the Tonga group of Islands, to conclude a treaty. They were represented by the King of Tonga, of whom six were his subordinates, at which meeting Hobson was successful in inducing the chief to sign the treaty. In consequence of the Governor being attacked with paralysis while visiting the Battle of the Thames in the same mission, the commission Captain William Cornwallis Symonds, another officer of the army, and five members of the Church Missionary Society, to procure the signatures of the chiefs of their respective districts. With the exception of Rarotonga on the north-western extremity, these districts comprised the whole of the Northern Island, together with the Colonies, two officers of the Government, and the Rev. Mr. Taylor of the Church Missionary Society, were despatched to obtain signatures.

Major Bunbury, of the 80th Regiment, arrived shortly afterwards, and Governor Hobson deemed it advisable to despatch this officer in H.M.S. Herald on the same errand to the most important portions of the Middle Island, Stewart's Island, and some portions of the Northern Island as not yet ceded to the Crown. Before, however, Captain Hobson could receive any advantage from this partial absence of his superiors, he received from authentic sources of the formation into a separate government of the settlers located at Port Nicholson under the auspices of the New Zealand Company, their election of a council, and the appointment of Colonel Wakefield as its President.

The Governor, therefore, in consequence of the aspect of affairs, deemed it prudent to wait for Major Bunbury's report, but proclaimed the sovereignty of her Majesty, on the 21st of February, over the Northern Island, and by virtue of the Treaty of Waitangi, over the Southern Island, on the same day, on the ground of discovery. [See Governor Hobson's despatch to Secretary of State for the Colonies, May 25, 1840.]

Meanwhile Major Bunbury, after obtaining the signatures of the chiefs of those portions of the Northern Island which he had been instructed to visit, proceeded to the Middle Island, where he procured the assent of a sufficient number of the principal chiefs to warrant the assumption of the sovereignty of it by cession, and took possession of Stewart's Island on the 8th of June, 1840, by right of discovery.

On the 16th of November, 1840, a charter was signed by her Majesty erecting New Zealand into a separate colony, and which provided that henceforth the three principal Islands were to be known as New Ulster, New Munster, and New Leinster; Captain Hobson was appointed Governor and Commander-in-Chief of the new colony, and instructions were issued under the Royal sign manual, dated the 5th December, 1840, authorizing his powers and duties, and those of the Legislative and Executive Councils. The Governor was finally enjoined to use every effort "to promote religion and education amongst the native inhabitants, to protect them in their persons and in the free enjoyment of their possessions by all lawful means, and to prevent and restrain all violence and injustices which might be practised or attempted against them, and to take such measures as might appear necessary for their conversion to the Christian faith and improvement in civilization."

In a dispatch dated 28th January, 1841, Lord John Russell urges on Governor Hobson, that "the lands of the aborigines should be defined with all practicable and necessary precision on the general maps of the colony," and desires that tracts of land permanently retained for the use and occupation of the aborigines should be defined by natural and indelible marks, and should be insurable, even in favour of the local Government. A sum amounting to not less than fifteen, nor more than twenty thousand pounds of the colony, or $6,000 bought from the aborigines, was to be expended in "promoting the health, civilization, education, and spiritual care of the natives," on the recommendation of the Protector appointed by the Crown to watch over and superintend their affairs; such sums, when not immediately required, to be invested in the best securities which could be obtained in New Zealand, or in New South Wales, in the name of the Governor. The amount standing to the credit of the fund at the end of 1842 amounted to £6,110 11s. 2d.; this amount, however, was chargeable with the expenses of the Government for the year.

It would seem that the instructions of the Imperial Government were not adhered to with regard to the setting apart of the fifteen per cent. upon produce of land sales, as the money which was to have been appropriated solely for the benefit of the natives was allowed by Governor Hobson to be swallowed up in the pressing requirements of his general administration. The amount of the surplus—£4,000, was entered by Mr. Shortland, its Officer Administering the Government, after the death of Captain Hobson, under the threat, which was to be paid by a vote of Parliament; but this item was struck out by the Commissaries of the Treasury, who refused to recognize it as part of such debt.

After the assumption of the Government by Governor FitzRoy, in December, 1846, the original instructions appear to have been entirely lost sight of in the difficulties that then prevailed in regard to the finances of the colony. The mode also of disposing of the waste lands outside the Company's settlement, under the ten shilling and penny-an-acre proclamations introduced by Governor FitzRoy, precluded the possibility of settling apart any of the proceeds of land sales to the aforesaid purpose.
The Protectorate was subsequently abolished by Governor Grey, the office of Native Secretary being substituted instead.

On the 19th November, 1840, a statement of the terms on which a Charter of Incorporation would be granted, was transmitted to the New Zealand Company by Lord John Russell, and those terms having been at once accepted by the Company, on the 13th February, 1841, a charter was granted. By its provisions the subscribed capital of the Company was fixed at £2,000,000, in 12,000 shares of £285 each, of which two-thirds were to be paid up within twelve months, with power to increase it to £1,000,000, and also to borrow on mortgage to the extent of £300,000.

With reference to the reserves made by the Company within their purchase for the natives, the 13th clauses of the agreement transmitted to the Company by Lord John Russell, makes the following provision:—

It being also understood that the Company have entered into engagements for the reservation of certain lands for the benefit of the natives, it is agreed that in respect of all the lands so to be granted to the Company as aforesaid, and for the benefit of the natives by the Majesty's Government in fulfilment of and according to the terms of such stipulations, the Government reserving to themselves in respect of all other lands, to make such arrangements, as to them shall seem just and expedient, for the benefit of the natives.

In fulfilment of the intention expressed by the Imperial Government to send out a Commissioner, with independent authority, to investigate and determine titles and claims to land in New Zealand, Mr. William Spain was appointed, under a warrant dated the 20th January, 1841, and despatched from England for that purpose.

The first proceedings under Mr. Spain took place at Wellington, on the 17th May, 1841, at which date the claims of the New Zealand Company to land to the north of Cook's Strait came under consideration, amongst a number of others of a private character.

Commissioner Spain intended to have held a Court at Nelson, in June, 1841, to investigate the Company's claims to land on the southern shores of Cook's Strait, but was prevented from doing so in consequence of the fatal affair with the natives at the Waikato.

In August, 1841, the Commissioner held a court at Nelson to investigate the aforesaid claims, and awarded the Company the whole of the land claimed with the exception of the Waikato.

The land on the southern shores of Cook's Strait that formed the subject of the aforesaid investigation, was claimed to have been purchased by the Company under two deeds of purchase from the natives. The first of these deeds was executed at Kapiti on the 24th October, 1838, by the chief Waipara, Wairaghepa, Hiko, and others, members of the Ngatihe tribe; and the second was executed at Queen Charlotte's Sound, on the 8th November, 1838, by a large number of members of the Ngatihe tribe.

It was found on examination that, besides the articles alluded to in the deeds as forming the consideration paid by the Company for these lands to the signing parties, Captain Wakefield, immediately on his arrival with the preliminary expeditions, assembled the resident natives of the several districts in the vicinity of Nelson, and made them presents of merchandise to the value of £200 15s.

A further payment of £300 was also made to the natives by the Company during the investigation, and sanctioned by Mr. Spain. This amount was appropriated amongst the natives as follows:—to the Waikato, or Nelson, £200; to the Ngatihe, £100; and a special payment to Ngapito, a chief of Motukara, of £10, leaving a balance of £220 for the natives of Massacre Bay. These people, on being visited, at Mr. Spain's request, by Mr. Clarke, the Protector of Aborigines, declined to receive the amount set apart for them, and it had, consequently, to be deposited in the Bank with their consent to accept it. The matter remained unsettled until 1844, when, through the aid of the Government Representative, Mr. Sinclair, P.M., the Church, and the Christian Missionaries, the natives were at last induced to complete the sale of the land with Mr. Spain, Resident Agent.

It would appear from the evidence adduced before Mr. Spain, that the natives had always looked upon the transaction with Captain Wakefield as an allocation of their rights and interest in the land treated for, more particularly the Motukara natives, who had stipulated at the time for the retention of their pa and cultivations. These arrangements had been in a great measure compiled with, by the allotment into native reserves of a considerable portion of the Big Wood in that district. This arrangement was notified by Mr. Spain, who ultimately set apart six townships of the New Zealand Company's purchase, or 300 acres in all, for the use of the Motukara natives.

A grant was subsequently issued by Governor FitzRoy in favour of the Company, in terms of Mr. Spain's award, subject to the following reservations:—

All the pa and burial-places and grounds actually in cultivation by the natives situated within any of the above-described lands hereby granted, viz.: Waikato, Waikorou, Mouka, Mouka, and Massacre Bay; the limits of the pa in to be the ground found in around the adjoining houses, or house without the fences; and the cultivations, being those plots of land which are now used by the natives for vegetable productions, or which have been so used by any aboriginal natives of New Zealand since the establishment of the colony; and also excepting all public land within the above lands hereby granted to the Company, or any other person or persons or body corporate or by any other form of government or person, that they had a vested claim prior to the purchase of the New Zealand Company.

The New Zealand Company, on hearing of the terms of the Nelson deed, took exception to it, in consequence of Governor FitzRoy having excepted for native reserves one-tenth of the land granted, such reservation being in opposition to the terms of the published prospectus of the settlement (dated February 16, 1841), wherein it was stated that the native reserves would be one-twentieth of the lands "reserved for sale," thus being one-tenth of the entire quantity being held in reservation for the native occupants.

The matter was afterwards represented to the Secretary of State for the Colonies, who instructed Governor Grey to inquire into the subject of complaint, and take such measures for
the relief of the Company, if he found such representations correct, as was in his power to adopt.

In pursuance with these instructions, the Governor took steps to relieve the Company from the difficulties arising from the losses excepted which had been made in the grants respecting native lands and cultivations, etc., and a warrant was issued to the Attorney-General, directing that proper means should be taken for applying to the local Courts to annul the grants.

In 1848, a fresh grant was issued to the Company for the Nelson district. The new grant included, besides the land comprised within the limits of the award made by Mr. Spain, all the Waitau district, with the adjacent country purchased from the Ngatiawa, in 1847. Besides the native reserves in the Town of Nelson and in Motueka, including also a large block in the Waitau, the deed also excepted certain reserves for the natives in Mosaro Bay, which had been previously surveyed in 1847 by the directions of the Government.

Prior to the issue of the fresh grant, the Government, on behalf of the Native Trust, had consented to relinquish forty-seven of the town reserves to the Company, under the arrangement entered into between the Company and the original landowners with regard to the terms of re-selection agreed to by a Committee appointed by the late named body.

This reduced the town sections from 100, the original number, to fifty-three, or to one-tenth of the land within the Town of Nelson then actually sold. The large block of land in the Waitau district excepted from sale by the natives in 1847, was supposed to represent the extent of land they were entitled to within the Nelson settlement under the rural selections, consequently no other provision was made under that head. Unfortunately, however, for the interests of the trust, this land was included in the subsequent sale of the adjacent country by the Company, in 1853.

Although the block allotted to contained a very much larger proportion of land than the natives were entitled to, the want of proper precaution at the time caused a diminution in the estate of 15,000 acres, the original quantity set aside under the Nelson scheme as native reserves being 20,000 acres, viz.: 100 town sections of one acre each, 100 suburban sections of fifty acres each, and 100 rural sections of 150 acres each, out of which only 6,083 acres have been retained.

In 1838, Monsieur J'Angioux, captain of a French whaler, claimed to have purchased all Banks' Peninsula, in the Middle Island, supposed contains 30,000 acres. Two merchantable houses at Nantes, and two at Bourdeaux, associated themselves with M. J'Angioux, under the denomination of the Nanto-Borolaise Company, and despatched a whaling vessel, the Comte de Paris, to Akaroa, Banks' Peninsula, with a few emigrants. In August, 1838, the agent of the Company, M. de Bellamy, submitted their claim to Mr. Commissioner Godfrey, one of the Commissioners appointed by the local Government, in Paris, and adjourned on claim to await instructions from the authorities. The case was then finally decided against the Company by the Commissioner, the natives positively denying having sold Captain J'Angioux any land in 1838, and no satisfactory testimony was adduced in proof of their having done so, but they admitted having made over to him their interest in certain parts of the Peninsula when he arrived there in 1840, in the Comtoise de Paris, for goods, &c., amounting in value to £234. Colonel Godfrey consequently declined to make an award in favour of the Company, on the ground that the purchase, having been effected after the date of the proclamation by Sir George Grey, in January, 1840, was null and void; but his decision respect to the title of the French Company was finally decided against the Company by the Commissioner in 1848.

In 1848, an arrangement was made between Lord Stanley, the then Secretary of State for the Colonies, and the French Company, to the effect that, in consideration of an alleged expenditure of £15,000 by the Company on the objects of colonisation, a grant of 30,000 acres should be made to it, embracing such portions as the natives might admit the sale of to the Company, and as much more, if any, as might be necessary to make up 30,000 acres—the latter portion to be obtained by the intervention of an officer of the local Government, when the Governor was directed to depute for the purpose of ascertaining the Agent of the Company in each of the arrangements with the natives, and acquiring quiet possession of the land. Subsequently, a block of 30,000 acres, including the Heke, the harbours of Akaroa and Fagieon Bay, was marked out for the Company, and the survey was commenced by Mr. Octavius Carrington, in 1849.

After some considerable delay in endeavouring to settle the French Company's claim, the New Zealand Company, in the month of June, 1848, succeeded in purchasing the entire property and interest of the Nanto-Borolaise Company, for £4,500. This was looked on as an advantageous arrangement by the New Zealand Company, as it finally put an end to the whole of the French Company's claims within the colony.

Land Claims.

Prior to Great Britain assuming the sovereignty of New Zealand, numerous parties claimed to have purchased large tracts of land from the native chiefs. Some of these purchases had been made long prior to that date, whilst others had been made in a hurried manner subsequent to that date. The land was often bought for a few maikatea, harakeke, or bluebaskets. Other purchases were liberally supplied in Sydney with blank "Deeds of Feoffment" for use in these purchases, and, as the Government had fixed a price of five shillings per acre, all land in Australia, whether purchased from the crown or from private individuals, was declared to be New Zealand, and nanu, under cover of the Declaration of Independence of 1835, to pursue their schemes with impunity.
Amongst other claimants to land in the southern portion of the colony, Mr. Wentworth, of New South Wales, asserted his right to 20,100,000 acres in the Middle Island; Cowlin and Co., 7,000,000; Walker and Co., 8,657,000; Jones and Co., 1,880,000; Peacock and Co., 1,450,000; Green and Co., 1,377,000; and Ward and Co., 1,200,000; and the New Zealand Company to 20,000,000 acres.

One Company, consisting of four gentlemen, claimed the Middle Island, excepting all previously sold, in consideration of giving the chiefs a few hundred pounds in money, and a life annuity of $250 per annum.

In January, 1840, Sir George Gipps, the Governor of New South Wales, within whose jurisdiction New Zealand had been placed, in order to put a stop to these illegal proceedings issued a proclamation, prohibiting all future purchases of lands from the natives, and at the same time intimating that a commission would be appointed to investigate all purchases already made.

This proclamation was promulgated by Governor Hobson, on his arrival in January, 1840; and in August in the same year, the Governor and Council of New South Wales passed an Act under which Commissioners were appointed to inquire strictly into all the circumstances under which land was said to have been purchased by British subjects from the New Zealanders. By a provision of this Act, 2,460 acres were fixed upon as the largest quantity that any individual could retain in virtue of cession from the natives, and legal title could only be issued by the Representative of the Crown; to obtain which, it would be necessary to prove that a reasonable consideration had been given to the native proprietors.

The rate of sufficient payment was fixed as follows:—

<table>
<thead>
<tr>
<th>Between the years 1816 and 1824</th>
<th>£3 per acre</th>
</tr>
</thead>
<tbody>
<tr>
<td>1825</td>
<td>£4 per acre</td>
</tr>
<tr>
<td>1826</td>
<td>£5 per acre</td>
</tr>
<tr>
<td>1827</td>
<td>£6 per acre</td>
</tr>
<tr>
<td>1828</td>
<td>£7 per acre</td>
</tr>
<tr>
<td>1829</td>
<td>£8 per acre</td>
</tr>
<tr>
<td>1830</td>
<td>£9 per acre</td>
</tr>
<tr>
<td>1831</td>
<td>£10 per acre</td>
</tr>
</tbody>
</table>

On the 8th June, 1841, an Ordinance was passed by the Legislative Council, at Auckland, to repeal the Act of 1840 passed on behalf of New Zealand by the Governor and Council of New South Wales, and to terminate any Commission issued under the authority of the said Act. New Zealand and New South Wales had been made independent of New South Wales.

The new Ordinance enacted that:—

All unappropriated lands within the colony of New Zealand, subject, however, to the rightful and necessary occupation and use thereof by the aboriginal inhabitants of the said colony, are and remain crown domain lands of her Majesty, her heirs and successors, and that the sale and absolute right of pre-emption from the said aboriginal states in, and only be exercised by, her Majesty, her heirs and successors.

All titles to land, however obtained, "either mediately or immediately from chiefs or individuals of the aboriginal tribes," unless allowed by the Crown, were declared absolutely null and void. Under another clause the Governor was empowered to appoint Commissioners to hear, examine, and report on claims to grants of land in virtue of titles acquired from the natives, such claims to be made, at latest, within twelve months from the date of the Ordinance.

The Commissioners were to be authorized to summon witnesses, and to punish, by fine or imprisonment, those who should fail to appear, or refuse to give evidence. The rate of purchase between the years 1816 and 1828 was to be the same as that fixed by the New South Wales Act of September, 1840, but 50 per cent. was added above these rates for persons not personally resident in New Zealand, or not having a resident agent there. Goods, when given to the natives in barter for land, were to be estimated at three times their selling price in Sydney at the time.

A scale of fees to be paid by each claimant was also included in the Ordinance, and Major Richmond and Colonel Godfrey, who had been previously selected by Sir George Gipps, were re-appointed Land Commissioners by Governor Hobson.

Up to the 1st August, 1841, about 600 claims to land in all parts of the colony had been referred by the Governor to the Commissioners for hearing, some of which had regard to small patches of ground, others to millions of acres, the rights of different parties being in many instances asserted to the same tract of land.

All awards recommended by the Commissioners, on being approved by the Governor, were notified in the Government Gazette. Subsequently to these proceedings Governor FitzRoy, who succeeded Governor Hobson in the Government of New Zealand, appointed a new Commission, and, without the cases being further heard, the former decisions were reversed, the result being that several hundred grants of land were issued to the land claimants, some of which conveyed to the grantees a greater quantity of land than they claimed to have purchased from the native owners.

In consequence of the complications caused by these proceedings, Governor Grey, in 1840, considered it expedient, with a view to the final adjustment of the whole matter, to have recourse to the Legislature to pass an Act to quiet the titles to these lands, and an Ordinance was accordingly passed for that purpose, which received her Majesty's confirmation.

In 1850 a fresh Act was passed extending the time for purchasers to lodge their claims, and for the appointment of Commissioners to carry it into effect. Another Act was also passed by the Assembly in 1853, for the same purpose.

Many persons who claimed to have purchased lands from the natives, in consequence of refusing to acknowledge the power of the Commissioners, never obtained their lands.

With regard to the extent claimed by the various claimants throughout the colony, Mr. Commissioner Bell, in his Report on the Settlement of Land Claims, dated 8th July, 1832, stated as follows:—

The total area originally estimated to have been claimed in all the claims cannot be accurately ascertained. In many cases the extent of the claim was not stated. In some the extents were estimated in round
numbers by millions, or by degree of latitude and longitude, or, by the expression "as far as a cannon shot will reach." So far as can be accurately stated, however, after excluding the best endowed classes, the particulars as they existed in the year 1840, were a total of 10,000,000 acres.

And under the head of Payments given to Natives, he states:—

This is one of the most curious features in the story of the claims. It appears that payments to the value of upwards of 2,000,000 was made by Europeans to native for the purchase of land. This sum, though, is included all that can be ascertained with tolerable certainty, by means represents the whole amount which was paid away. In many cases the consideration given to the natives was not stated by the claimants, and will perhaps be known to the Committee. In the title to the land, already referred to by the investigating Commissioners as having been given to the natives after Sir George Gipps' proclamation of 11th January, 1834, and another large sum apparently not appearing, the price given to original claimants by derivative purchasers from the first claimants. In the land purchase Act of 1836, 1s. 10d., in pre-eminent claims, 2s. 8d. 4d. 6d., the two sums making together a total of 2s. 8d. 6d. Out of this total, the sum of 250,000 in 1s. 6d. has been officially pressed before various Commissioners to have been expended. A considerable proportion has probably been expended on the purchase of the claims of small and middling description of different kinds. It will be remembered by all who are interested in the subject, that the Act of the 4th and 5th Edward the Sixth, 1558, in the Registrars Office of the land purchases. In the Act of 1836, was to estimate the value of goods given in barter for land to a three years' sale price of such goods in Sydney. This was by no means an extravagant allowance; on the contrary it barely represented the real value. The first Commissioners' Instructions informed them, that this multiplication by three was to include commission, freight, risks, presents, passages money, charter of vessels, and every other kind of expense. If the amount of the charges, and especially the risk in those days, be taken into consideration, it will probably be allowed that trade was worth at least the times in which it was worth in Sydney; perhaps in the early years of the irregular settlement of Europeans in the North it may have been worth a great deal more. In one essential point, of course, whether the Commissioners adopted a modern element in the cost of estimating Sydney prices; and it may safely be said that the lands they adopted was very fair. In the case of the pre-eminent claims, no such multiplication was made: and the payments when given to goods were valued at the actual value of those goods in the New Zealand market. On this the Commissioners' Instructions, the Act of 1836, 1s. 10d., together amounting to the sum of 1s. 10d., to which must be added the value of the services rendered at their cost, as will be referred to in the next section.

Taking the amount of payments to natives, and the amount of fees and payments to the Commissioners, the total under these two heads reaches no less a sum than 200,000 in 3d. 6d. Averaging it over the whole area of the claims as ascertained, the rate per acre averages far more than the payments made by the Crown in the assessment of taxes elsewhere. And, there is in fact the claimants paid more for extinguishing native title than the Government did.

With reference to land claims in the Southern Island, Mr. Shortland, Sub-Protector of Aborigines, who was engaged with Mr. Commissioner Godfrey in investigating these claims, writes as follows:—

Several claimants of small tracts of land, in some cases merely a few acres, came from the neighbourhood of Port Jackson, to establish their titles. There appeared little doubt that they had generally given ample consideration, and they were never likely to be disturbed in their possession, having been resident there for many years. These persons all presented parchment deeds with four seals drawn up in the forms in use in Sydney, England, and which are probably nearly as unmistakable to them as to the New Zealanders, who of course could never have understood them.

The history of their origin, and of how they got them, was rather amusing. A lawyer's clerk, finding a temple or church in Sydney conventional, to the time that, as there was at the time a great thing for buying land in New South Wales, might employ his time to speculate in this country. He therefore proceeded a number of these parchment deeds, leaving blank spaces for the names of claimants and persons, and with them visited various parts of the coast. He seldom failed to find willing purchasers at five guineas the deed.

The land speculation then was on an extensive scale. The idea was not removed from the minds of many. These speculations were then in fashion, and their formal appearance, with the addition of a sealed certificate substituted in place of a signature, gave them a much more solid value. In many cases goods to a large extent were sold in New Zealand, with security that they would be paid for other than by the deposit of such documents as described above.

In this case the extensive trade of land only a part was investigated. The rents had been probably abandoned as insufficient, now that it was found they were to be examined thoroughly, or because they had become part of bankrupt estates as they had in some cases, and had thus fallen under the neglect to which property so circumstanced is often sacrificed.

The claimants of the land in this class, or their agents who were present, could generally give no more description of the boundaries which they claimed than that it contained in its deed, which was often no more than a certain number of miles along the coast from a named point, the extent inland being as far as the land was available for the purpose. These claims were often the result of a large number of cases were given more often than by which they were better known to themselves and better than to the native themselves.

The oral evidence therefore which they offered was, that they could never have been derived from their statements; indeed, that they could with difficulty have been made to agree with each other, and given more often than by which they were better known to the natives and better than to the native themselves.

The oral evidence therefore which they offered was, that they could never have been derived from the statements of the witnesses who were attached, even by a person who had an entire knowledge of the language. The only names, therefore, of obtaining a tolerably correct description, was to refer to the natives present for a statement of the boundaries of the land they acknowledged to have sold. In one instance, it was evident that the claimant was thereby greatly assisted. The explanation of the party who had been living resident in the country, and paid at different times a very large amount of property to the natives. He, besides, had friendly terms with them, so that they were anxious to deal generously by him.

By this means, for several reasons, there was a desire to give evidence favourable to the claimants, that more of the successor claimants had originated simply in the purchase of a right to occupy sufficient ground for a whaling station, and to live on a certain extent of coast to the exclusion of the natives.

The nature of their tenure was, in the first place, what the natives term "ke noke and she," which is absurd equivalent to "squatting leases" in New South Wales; in fact, one expression is almost a translation of the other.
property of navigability having value it was not very difficult to obtain the signature of a few chiefs, who in some instances were at the time on a visit to Sydney, to deeds of the nature above described.

Among the claims not examined by the Government, was one of a million of acres in the neighborhood of Hokianga, which had been made by a single chief called Kekate. I was for a long time unable to disprove his claim, but at last found that it was the wholely preoccupation of "Kekate," an old chief residing at Waitangi. Afterwards inspired of him, how he could have thought of selling so much land to the Crown. He had heard that the natives residing at Kerehuna (Port Levy) and Hokianga had sold land to which he also had a claim—for he was one of those who had received to the South through fear of Te Rauparaha—without asking his consent; nor were his companions; the cold demand for the price; he therefore sold the whole district, to show them his displeasure.

On the Constitution, whose duty it was to examine and report on these claims, a serious responsibility rested. The local Government treated to him for faithful and correct information. There were a great number of claims, some of them so as to the land of all the natives, whether fairly bought from all the original native proprietors or not, and it would, when fortified by such authority, have greatly increased value in the eyes of the public.

It appeared most probable that the elements of large tracts would, on obtaining the much desired Crown Grants, divide and sell their property to a class of persons who were more likely to become resident proprietors. Now, should there be any flaw in the title derived from the native owners, should it turn out that there was in fact a considerably number of natives who had a just title to, and were their perhaps in actual possession of the soil, at the same time that has never been conveyed to the state, or received any share of the proceeds—then the unwise purchaser, under the idea that the title (a Crown Grant) must, from its nature, be unexceptionable, would find, or should be against the Constitution, either that he could not possess possession, or that he must, at any rate, pay for the land a second time.

In all cases a large proportion of the lands claimed were at a distance from the place where the Government held court. It was certain that the claimants would not, if they could help it, bring forward native owners of the lands often highly probably in a state, and it was therefore the advice of the local Government to sell that had never been parties to the sale, who perhaps were not quiet as home ignorant of what was passing before the Government, or, if they heard that some other men had sold their land to the "pakeha," it acceded rather with their heels to the quiet till he seems to take possession, and then get up and defend their right.

Besides the claimants then, and the natives present in court, there were two other classes of persons interested in claims, and the honest trader who would find no difficulty in purchasing with the intention of occupying his estate with his family, and thus prove a valuable member of the colony, and these two classes were assuredly equally desiring, with the former of the benevolent consideration of the Government, if not more so.

It was, however, but few to whom had just purchased their lands, and had therefore good and undisputed claims to them, that due precautions should be taken before the issue of a Crown Grant. For himself, it frequently occurred that persons who purchased land under such a title would not obtain unmitigated possession. Advice would be wise to all similar titles, as it would be impossible for the public to distinguish between the "good" and the "bad." It would then be discovered, that the only persons benefited by an expensive and indiscriminate distribution of Crown Grants were those who, having made money in the heart, were bought over by the Government to take the land, and the native has been an established colonist on the first opportunity, whereupon this latter class of persons, who it is to be feared might be numerous, would be injured most unfairly, and perhaps ruinously, as well as all those who, having originally made good purchases from the natives had retained, their lands in possession, and who, if consequently they were to sell, would find their property depressed in value by the disclosures which had fallen generally on all titles of similar origin.

In the instructions from the Colonial Office, in 1839, regarding land in New Zealand, the Land Purchases.

In the instructions from the Colonial Office, in 1839, regarding land in New Zealand, the Lieutenant-Governor was directed to induce the chiefs, if possible, to enter into a contract with her Majesty, that henceforward no land should be disposed of either gratuitously or otherwise except to the Crown of Great Britain: and that upon his arrival he was to announce by proclamation, addressed to all the Queen's subjects in New Zealand, that her Majesty would not acknowledge as valid any title to land either which either had been, or should thereafter be acquired, without it was either derived from or confirmed by a grant to be made in her Majesty's name, and subject of large tracts of land by the Government to the Crown. The Governor was instructed to obtain, by equitable contracts with the natives, the cession to the Crown of such waste lands as might be required for the occupation of settlers returning to New Zealand; but care was to be taken, in the acquisition of land from the natives, not to purchase any territory which they required for their own comfort, safety, or subsistence.

In conformity with these instructions, Captain Hobson, shortly after his arrival in New Zealand, met assemblies of the natives at Waiangi (in the Bay of Islands), and Hokianga, and induced them to agree to the treaty, which has been named after the former place.

By the second article of this instrument, which was officially pronounced and laid before Parliament.

It was of the utmost importance for the Queen by the instrument, to the treaty by a proclamation issued by Sir George Gipps, in January, 1840. The settlement of the country, and the establishment of British sovereignty, of necessity, was a great change in the social and political life of the New Zealand tribes.

The assumption of the sovereignty of the islands under the provisions of the Treaty of Wairarapa, extinguished the separate nationalities that existed prior to its promulgation; while
at the same time it saved all their proprietary rights, and, subject to her Majesty's right of pre-emption, confirmed to the native land owners the power of alienation which they had already begun to exercise.

It is very doubtful whether, previously to the arrival of Europeans, the aborigines had any notions at all of the absolute alienation of territory. The very idea which belongs to contracts for the transfer of land as private property had been unknown in New Zealand until 1814, when Mr. Marson, of the Church Missionary Society, doseous of obtaining a site for the first missionary establishment at the Bay of Islands according to the forms of European law, carried with him a technical deed of feoffment prepared by lawyers at Sydney. This instrument became the model of a vast number of contracts for the sale of land to Europeans, between that date and the establishment of the colony in 1840.

The preliminary steps taken for the arrangement of claims to land acquired before the date of the treaty, had already been detailed in dealing with the subject on land claims.

The New Zealand Company's purchase from the natives having been made antecedent to the treaty, were also dealt with under those arrangements by a special commissioner despatched from England to investigate their titles.

Very little land appears to have been purchased from the natives by the Government during the first year or two after the establishment of the colony. This inaction caused considerable dissatisfaction amongst the natives, as it deprived them of one of their chief sources of obtaining money, a circumstance that was seized on by interested persons as a means of creating discontent in the minds of the natives with the terms of the Treaty of Waitangi, as this measure had interfered materially with the projects of these land speculators.

Governor FitzRoy, shortly after his arrival in the colony, in 1843, found the natives clamouring with their claims to sell land; while subsisting on their obligations under the Treaty of Waitangi, they urged bitterly the injuries of the Government in refusing to buy of them, or to permit them to sell to others. The Government at this time, although the natives offered to dispose of their land, had neither money nor credit to enable them to purchase.

In compliance with these entreaties, the Governor, in March, 1844, considered it advisable to waive the Crown's right of pre-emption, and permit a regular system of purchase between the settlers and the natives under certain restrictions. Under the terms of a proclamation issued on the 26th of the same month, all applications were to be sent into the Government, stating the particulars of the proposed purchase. The right of sale, however, was to be exclusive of any paio, burial grounds, and cultivated lands that in use, and one-tenth of all lands purchased was to be reserved for the benefit of the natives, the purchaser to pay to the Crown four shillings per acre and bear the expense of the survey on one-tenth of the land, or receiving the consent of the Government to waive the Crown's right, and on the issue of the grant a further payment of six shillings to be made, in all ten shillings per acre, as a contribution to the land fund.

The measure thus adopted, was understood to be limited to the districts adjacent to Auckland.

These terms, however, were not deemed sufficiently liberal by land speculators, and only a small quantity of land was purchased in consequence. At the same time, the natives were induced to believe that the Treaty of Waitangi was a deception to deprive them of their land, and that the recent proclamation was a badge of slavery. A show of strength was accordingly got up by the natives, at the instigation of interested individuals, to induce the Government to withdraw the obnoxious proclamation and permit the sale of land on easier terms.

In October, 1844, another proclamation was issued, known as the penny-an-acre proclamation, in which the Government offered to the Crown for an acre of land for the right of pre-emption, and making a fee payable on the issue of the Crown grant, at the rate of one penny an acre. These measures, although tactfully assured to be the first instance in the Empire Government, were afterwards disallowed.

Both these proclamations enabled private individuals to purchase land in the vicinity of Auckland while Government should have done, and about 30,000 acres were purchased from the natives under the latter.

It was expected the penny-an-acre proclamation would have restored prosperity to the country, and allure emigrants from Australia to settle in New Zealand, but the unsatisfactory condition of the colony at this time discouraged people from coming.

The landowners in the New Zealand Company's settlements complained bitterly of the reductions in the price of land, as they had invested their capital and industry to a considerable extent in the purchase of land under the supposition that the minimum price (20s. per acre) of waste land was secure from being tampered with. With regard to the reduction in the minimum price of land occasioned by the aforesaid regulations, the Directors of the Company also expressed a wish that the Imperial Government, in justice to the parties who had purchased from the Crown at the minimum price named, and also to the Company, should peremptorily declare that henceforward no native should sell land to anyone but the Government, and that in all purchases made under Captain FitzRoy's proclamation the purchasers should only be entitled to possessing the purchase-money paid to the Crown, together with the ten shillings, or the penny paid to the Government, as the ease might be. With reference to this suggestion, Lord Stanley stated that he could not disturb the purchases already made under those proclamations; that further communication had been addressed to Governor Grey in connection with the instructions already given, and to remove any apprehension that existed on this subject in regard to that and other points raised, the Governor had also been instructed to return the Government's right of pre-emption, in order to facilitate the acquisition of land by the Company. In conformity with these instructions, the Governor issued a proclamation in February, 1846, waiving the Crown's right of pre-emption, until further notice be given, in
favour of the New Zealand Company, and of no other persons, of all lands and rights belonging to the natives within such portions of the Northern and Middle Islands, commonly known as the Company's districts.

The right of pre-emption had been previously waived by Governor FitzRoy, in February, 1844, over 150,000 acres in the Middle Island in favour of the Company, to enable them to found the Otago settlement, the particulars of which purchase will be found hereafter. A writer of pre-emption was also made about the same time over 150,000 acres of land at Waitahuna, and 250,000 acres elsewhere within the limits of the Company's districts, and Mr. Commissioner Spain was instructed to assist the Company's Agents in effecting a purchase. These purchases, however, were subsequently withdrawn by the proclamation issued in 1844, authorizing the purchase of land direct from the natives on paying to the Crown a fee of one penny per acre, and by the suspension of the Company's operations.

With a view to facilitate the operations of the New Zealand Company in their selection of land, and to expedit the issue of a Crown grant for the land acquired by them on both sides of Cook's Strait, Colonel M'Cuish was despatched in January, 1845, by the Imperial Government as Commissioner to assist the Company in that respect, and to judge of the reasonable prices of any purchase they might make from the natives.

Lord Stanley, in a despatch to Governor Grey, under date August 14, 1845, on the subject of the aforesaid proclamations, disapproved of the regulations established by the proclamation of the 10th October, 1844, and states the reason that instructions were not issued to promptly put an end to the practice, was the fear of alienating the natives at the then critical state of the colony, but that the practice was to be put to a stop at once if it was practicable to do so.

With regard to the ten-shilling-an-acre proclamation of March 20, 1844, its operation was to be confined to the north of the line drawn from Cape Kidnapper (in Hawke's Bay), running slightly west until it met the Raukikino range, then along the range to the mountain of Mangungo, and thence down the River Motu to the port of Motuak. Lord Stanley also expressed himself unfavourable to the continuance at all, if it was possible to put an end to it, preferring instead that the Crown's right of pre-emption should be maintained, as conceded by the Treaty of Waitangi.

The ten-shilling-an-acre proclamation was sanctioned by her Majesty's Government in reference to the particular district defined by Lord Stanley, and the penny-an-acre proclamation was confirmed to the extent of sales sanctioned under it by Governor FitzRoy.

Governor Grey was subsequently informed, that her Majesty had disallowed the proclama-
tions of the 26th March, 1844, the 10th October, 1844, and the 20th December, 1844; such disallowance not to prejudice any acts which may have been done in strict pursuance of the proclamations of the 26th March, 1844, antecedent to the receipt of the despatch conveying those instructions, or any act which may have been done in strict pursuance of and under the authority of the proclamation of the 10th October, 1844, antecedent to the receipt by the then Governor of New Zealand, of Lord Stanley's despatch of the 20th June, 1845.

All claims to be referred to the Attorney-General to report on, and no Crown grants to be prepared in favour of any claimant without being previously certified by the Attorney-General, that the terms of the proclamation had been complied with.

The regulations subsequently adopted by the Governor in regard to land acquired under the aforesaid proclamations, are contained in the annexed extract from a Minute of His Excellency to the Legislative Council, August 7, 1847.

The regulations the Government intended to adopt are as follows:—The Governor will issue advice to all claimants unconnected with the settlements (who complied strictly with the terms of the Government notice of the 15th June, 1846), and whose claims have already been investigated or may hereafter be investigated by the Commissioners; and favourably reported upon by him, whose Crown grants to the extent of 200 acres shall be in the possession of the Crown, the remainder of the fee simple. The grants to include the reserved lands (at 10 acres per acre), in any case where the whole quantity granted does not exceed 200 acres.

The same rule will be extended to the penny-an-acre claimants for blocks not exceeding 500 acres (whether the land be cultivated or not), whose claims have been or may hereafter be favourably reported upon by the Commissioners, on their paying 4d. an acre within the same period of time, the quantity granted in any case not to exceed 500 acres.

The steps taken by Governor Grey for effecting a settlement of claims arising out of the aforesaid proclamations, were subsequently confirmed by her Majesty's Government, in 1848.

A large proportion of the land within a radius of seven miles of Auckland was claimed under the ten-shilling and penny-an-acre proclamations, and even to within a radius of twelve miles but a very small portion of the land remained unclaimed under the penny-an-acre regulations.

The right of pre-emption being vested in her Majesty by the Treaty of Waitangi, and certain Acts and Customs having been passed prohibiting private individuals from acquiring native lands under penalty, a system of land purchasing was commenced by the Government, in 1847, and continued till May 17, 1856, at which date it was done away with by proclamation. The Native Lands Act, of 1852, permitting the natives to alienate their lands by private sale or otherwise, having been confirmed by her Majesty, the continuance of the Land Purchase Department, by which, prior to its enactment, the crown of native lands to the Crown had been reserved, was removed; and what land was alienated from the natives in the South Island comprise two classes: first, those made from the Natives chiefs, as conquerors of the country; secondly, those made from the resident natives.

The total sum paid in both cases for the extinguishment of the native title in the South, between the years 1844 and 1847, amounted to 257,865, inclusive of the sum of £2,000 granted to the natives in goods and specie by the New Zealand Company, and £250 paid by Major Richmond, in 1832,
for the purchase of a block of land in Massacre Bay, the particulars of which are not included in the abstract of purchases effected.

As it is proposed to deal separately with the whole of the purchases in the order in which they are arranged, it is not necessary to enlarge further upon the subject.

In the purchases effected at various times throughout the Southern Island, care has been taken to secure to the natives adequate portions of valuable land in suitable situations, under arrangements that would secure them against their own inexperience and improvidence.

The total quantity of land reserved for the use of the natives in the Southern Island, according to a computation made by Major Heaphy, in 1870, amounts to 121,783 acres. This quantity averaged over the whole of the native population in the Middle and Stewart's Island, gives 743 acres to the individual. But besides the reserve set apart for the natives, they are also possessed of land to the extent of 52,190 acres in the Province of Nelson. This quantity, if considered along with the reserves, brings up the proportion to each native in the Province of Nelson to 2521 acres, and to each native in the Middle and Stewart's Island to 1614 acres.

Otago Purchase.

In 1843, an Association was formed in Scotland for colonizing a portion of the Middle Island, under the auspices of the New Zealand Company; and as that body were only possessed of a limited quantity of land at the Nelson settlement, it became necessary to make arrangements for the acquisition of other land for the location of the intending emigrants. The Directors of the Company especially desired that Port Cooper should be the locality chosen; but Mr. Tuckett, who was instructed with the selection of a site for the future settlement having determined, after careful examination, upon the country in the neighbourhood of Otago as the best site, it was ultimately decided to found the settlement there.

In February, 1844, Governor Fitzroy waived the Crown's right of pre-emption over 150,000 acres of land in the Middle Island, and instructed Mr. John Jeromy Symonds, Assistant Police Magistrate at Wellington, to assist the Company's agent in effecting a purchase from the natives.

On the 31st July of the same year, a purchase was effected of 400,000 acres at Otago, for the sum of £2,400, comprising all the tracts of country bounded by the range of hills lying to the north of Otago harbour, and extending as far south as Tokata Point, near the Nugget, the Massacre Bay, and Kaka Point, being the western boundary. Out of this block the Company were to select the 100,000 over which the Crown's right of pre-emption had been waived, and to re-convey the remainder to the Crown.

The deed of conveyance was prepared by Mr. Symonds, and Mr. Clarke, the Protector of Aborigines, and signed by twenty-five of the principal natives in their presence.

Three exceptions were made within the block for the natives, viz., at Otago Heads, Taiaroa, consisting in the aggregate land to the extent of 3,330 acres; one acre was also reserved for them at Puketua, within the block reserved by the Company as a site for a lighthouse.

Independent of the general reserves thus made, it was evidently intended at the time to select special native reserves, as contemplated in the scheme of the other New Zealand Company's settlements; on which point Mr. Symonds, in his report on the purchases, dated 2nd September, 1844, writes as follows:

"I pursued the course as regards native reserves, from the view that the system here adopted in other purchases of large tracts was beyond the comprehension of the aborigines, and, at the suggestion of Colonel Wakefield, I took the further step of reserving, namely, the tenth part of all land sold by the New Zealand Company, to be dealt with by his Excellency the Governor, without making any express stipulation with the natives on the subject."

Colonel Wakefield, in his report to the Secretary of the Company, under date 31st August, 1844, alludes also to the matter in this wise:

"Two other points there are of special application to the Governor: the one, respecting the future disposal of the residue of the block beyond the 150,000 acres to be selected by the Company; the other, as to the special native reserves as is in the other settlements, not contemplated in the Company's New Edinburgh scheme, which cannot be made till the surveys are completed and selections made."

Major Richmond, the Superintendent of the Southern Division, also, in his letter of the 23rd May, 1844, to Governor Fitzroy, reporting on Mr. Symonds's proceedings in relation to the aforesaid purchase, suggests "that, when the choice of sections is being made, it will be necessary to have an officer on the spot to select reserves for the Government and natives," and states his intention to appoint Mr. Symonds (unless previously instructed to the contrary) to make the selection.

Mr. Tuckett, in transmitting to Colonel Wakefield the offer of such a valuable district at so inconsiderable a price (£2,400), expressed his conviction that it would be good policy on the part of the Company in the scheme of their future settlement, to appropriate as much as sixpence per acre to the remuneration of the natives, to be paid in four annual instalments. It would seem, however, that Colonel Wakefield did not concur in the proposition, as, judging from the terms of his letter of August, 1844, it appeared to be of opinion that the purchase-money already given was more than adequate.

On 2nd April, 1844, an unconditional grant was executed to the New Zealand Company of the entire block of 400,000 acres, excluding the land reserved to the natives, the Company engaging within a limited time to select the 150,000 acres proposed, and also such further quantity thereof as they may desire, and to re-convey the remainder to the Crown.

The first settlers called for Otago in November, 1847, under the direction of Captain Caryll, the agent of the Otago Association, who was also appointed the Company's agent there. In December, 1847, a survey was commenced of the lands to be purchased and others on the 15th April, 1848, for all of which other regulations were substituted by the New Zealand Company, in August, 1848, by order of the Court of Directors. With reference to
the last named regulations, Mr. McGlashan, in his letter of July 24, 1850, to Earl Grey, suggests that instead of Articles 8 and 8, the committee of the Association recommend that the following articles be added at the end of the terms of purchase, viz.:

The Association reserves to itself the right of selecting and appropriating all such lands in the ports and harbours of the settlement as may be required for wharves, landing places, jetties, or other objects of public utility and convenience.

In reply to which, Mr. Hawes, writing on behalf of the Secretary of State, under date August 22, 1851, states that Earl Grey is not at present able to give an answer to these propositions, as they involve one or two legal points.

On the 5th July, 1850, the New Zealand Company surrendered their charter and the whole of the lands in their possession, subject to existing contracts, became the property of the Crown by virtue of the Act 10 and 11 Victoria, chap. 112, and subject to the Instructions of 1846, respecting Crown lands within the colony, as amended by the additional Instructions of the 12th August, 1850. The Attorney-General and Solicitor-General were of opinion, that the terms of purchase of August, 1849, constituted a contract subsisting in regard to part of the land of the Company on July 5th, 1850, and that the land of the Company remained, subject to that contract, in the hands of her Majesty as dormant lands of the Crown.

In August, 1850, Captain Carrick was appointed to act as agent for her Majesty's Government in the Otago settlement; but, in the meanwhile, the Emigration Commissioners were authorised to receive the money of any person desirous of purchasing, and Lord Grey expressed his willingness to entertain the proposal of the Committee of Management to grant a charter to the Otago Association, but while anxious to give them all the encouragement in his power, there were various legal and other points which required to be adjusted, before it could be settled whether the object they had in view would admit of being carried into effect in the existing powers of his Government and if the matter was then pending, Sir George Grey (see Despatch from Earl Grey to Governor Grey, March 19th, 1851) was instructed to conduct the affairs of the settlement, as far as they would devolve upon him, according to the principle laid down in the Law Officer's opinion, interfering as little as possible with the course of management which may have been already established by the New Zealand Company.

The Otago Association was bound to the Company to sell and settle 144,000 acres in five years, but failed to sell more than a twelfth of the stipulated quantity. A number of the Otago settlers, in August, 1851, petitioned Earl Grey not to grant a charter to the Association; and on the 23rd November, 1852, that body ceased to have control over the land within the original Otago block, as will be seen by the substance of the following instructions from Sir J. Pakington to Governor Grey, dated 16th December, 1852:

You will observe, that although the terms of purchase of the Otago settlement have now expired by reason of the Association's inability to sell the stipulated quantity of land, and although the legal control over the land has consequently devolved on Her Majesty under the provisions of the Constitution, As it has nevertheless been thought by her Majesty's Government, that the land should continue to be administered in general conformity with the terms hitherto subsisting, until the General Assembly shall otherwise determine.

Mr. Montell, the Commissioner of Crown Lands, was consequently directed by letter from Mr. Doust, the Civil Secretary, dated 22nd June, 1853, to administer the Waste Lands in conformity with the aforesaid instructions. The sale of the unsold portion of the block of 144,000 acres, which formed the original Otago settlement, was to be conducted in accordance with the Act 10 and 11 Victoria, chap. 112, and any proceeds of the sale were to be applied to the advancement of the Otago settlement, subject to the conditions of a later proclamation, in order that the proportion set apart under the Otago scheme for public purposes might be reserved accordingly; and all other lands within the Otago district, with the exception of the above-named block, were to be sold under the Government Regulations of the 5th March, 1853.

The Prince's-street reserve at Dunedin, about which there has been so much discussion in both Houses of Assembly since the year 1853, and the subject of petitions and actions at law, was made in 1852-3 by Governor Sir George Grey, upon the recommendation of Mr. Montell, the then Commissioners of Crown Lands at Dunedin, for the use of the natives of Otago, as a place for drawing up their boats and other purposes. It consists of a very irregular strip of land, but presents an extensive frontage to the main street of the city. It was used by the natives in the way described until the year 1861, when, during the rush of people consequent on the discovery of the gold fields, it was taken up by squatters, who obtained leases to occupy on account of these sales were to be distinguished from monies derived from land sold subject to the conditions of a later proclamation, in order that the proportion set apart under the Otago scheme for public purposes might be reserved accordingly; and all other lands within the Otago district, with the exception of the above-named block, were to be sold under the Government Regulations of the 5th March, 1853.

The Prince's-street reserve at Dunedin, about which there has been so much discussion in both Houses of Assembly since the year 1853, and the subject of petitions and actions at law, was made in 1852-3 by Governor Sir George Grey, upon the recommendation of Mr. Montell, the then Commissioners of Crown Lands at Dunedin, for the use of the natives of Otago, as a place for drawing up their boats and other purposes. It consists of a very irregular strip of land, but presents an extensive frontage to the main street of the city. It was used by the natives in the way described until the year 1861, when, during the rush of people consequent on the discovery of the gold fields, it was taken up by squatters, who obtained leases to occupy on account of these sales were to be distinguished from monies derived from land sold subject to the conditions of a later proclamation, in order that the proportion set apart under the Otago scheme for public purposes might be reserved accordingly; and all other lands within the Otago district, with the exception of the above-named block, were to be sold under the Government Regulations of the 5th March, 1853.

As early as 1887, an attempt had been made by the Provincial authorities to obtain a Crown grant for this reserve; and again, after the period above alluded to, the Government of Otago made application to the General Government to have the property handed over for Provincial purposes, on the ground that the land, before being occupied by a public meeting, had formerly been divided into allotments for sale, then withdrawn and set apart for harbour purposes. This, however, appeared a mere matter of intention on the part of the original founders of the settlement, as no instrument could be found which could be considered to have the effect of dedicating the land formally to such an object. It is contended also, that if the New Zealand Company had a discretionary power as to the specific mode of dealing with the land, which may be inferred from the fact that a portion of the same was subsequently appropriated as an endowment for the Presbyterian Church, which now holds it. This appropriation was done by Act of General Assembly—the Kirk having got occupation of it at an early period through the local agent of the New Zealand
Company, whose powers however to make such appropriation, without sanction of the Board of Directors, were more than doubtful. The Crown, which succeeded to the rights of the Company, had a like power. Moreover, in setting apart this land as a native reserve, it would appear that Governor Grey was only performing a tardy act of justice to the native sellers, as there was an evident intention on the part of the authorities, at the time the Otago purchase was effected, to set apart special native reserves within the Town of Dunedin—as soon as the terraces were to be settled on the same principles as had obtained in the other settlements of the Company, but not contemplated in their New Edinburgh scheme; such reserves to be made by the direction of the Governor (see Captain Symonds' Report on the purchase of the Otago block, page 102, and Colonel Wakefield's Report to the Secretary of the Company, dated 21st August, 1844).

Mr. Bannister, the Secretary to the Company, in communicating to the Principal Agent the amended terms of purchase for the Otago Association block, also distinctly admits, on the part of the Company, the right of the Local Government to make reserves for the natives in that block, in addition to those lands which, as they were merely excluded from the purchase, were scarcely to be considered native reserves under the New Zealand Company's scheme.

The late Mr. John Jones, also, who acted for the natives during the purchase of the Otago block, distinctly avers in his evidence before the Pekiti Committee of the House of Representatives, in 1867, on the petition of John Ross Park, that two reserves, but of lesser area than those subsequently set apart, were made for the natives at the time of the sale—one at Port Chalmers, and one at Dunedin.

Mr. D. Wakefield, who was acting on the part of the New Zealand Company, declined, in the first place, to agree to the demand made by the natives to reserve those particular lots, and the negotiation was broken off; in consequence, the natives returning to their homes. On Mr. Wakefield's return to London with the unexecuted block, the question of the reserve was resumed, but he omitted to specify them in the deed. The Company, however, appears to have always acknowledged the right of the natives to the land, and Captain Cargill, in the early days of the settlement, built a stone house for the natives on the reserve at Dunedin. The building was erected after the demise of the Otago Association, on part of the reserve described by Mr. Jones.

In January, 1865, Mr. Brooke was, by Order in Council, appointed Commissioner for the Native Reserves, at Dunedin and Port Chalmers.

In consequence of a favourable report which emanated from a Select Committee of the House of Representatives—Session 1865—on the claim of the Corporation of Dunedin, a Crown grant [See Journals L.C., 1865, p. 38, 40.] was issued in 1866 to the Superintendent of Otago, in opposition to the effect of this, the natives appealed to the Native Lands Court, and to the Supreme Court, to have their claims restored; but the Court, by the same grant, the first-named Court could not deal with it, and the decision of the Supreme Court was adverse. On an application to the Court of Appeal, the natives were again defeated, and the matter has now been referred to the Privy Council.

From rents paid for holdings on this land, the sum of £2,051. 19s. 6d. appears to have accumulated. This amount was subsequently paid over, on the 25th September, 1867, to the Superintendent of Otago, on his giving a guarantee to the General Government that in event of the claims of the natives being established in any Court of competent jurisdiction, or by the Legislature, to the said land, or any portion of it, or to the whole, or any portion of the said accumulated rents, a sum equal to the amount so decided should be repaid to the province into the Colonial Treasury, whenever the Colonial Treasurer required it.

In the report of the Select Committee of the House on the Dunedin disputed reserves, 28th August, 1866, the undertaking was added to as regards the absence of an appropriation for the purpose by the Provincial Council of Otago. It also draws attention to "The Provincial Lands Act Amendment Act, 1867," not being in force at the time the undertaking was given.

The reserve at Port Chalmers was made by Mr. Mustell, in 1862-3, by the direction of Sir George Grey, and then comprised section 401, purchased by the Government from Mr. Williams, on Mr. Mustell's recommendation, to give access to the water frontage, sections 402, 403, and 404, and an unnumbered piece adjoining, being a portion of land marked on the maps as the "Town Belt," but the authority for so marking it was not produced.

At the sitting of the Native Land Court, held at Dunedin on the 22nd of May, 1868, the representatives of the Presbyterian Church opposed the issue of a grant to the natives, for section 402, on the ground that the section, in question had been lawfully reserved to them previously to the reservation for the natives; in consequence of this, the case, as far as regards the claim, was adjourned sine die, a certificate of title being ordered in favour of the natives for the other three sections, viz.:—Nos. 401, 403, and 404. Respecting the unnumbered piece alleged to be a portion of the Town Belt, the Court refrained from making a final decision, but left it open for the opponents or claimants respectively to move the Court at a future sitting to dismiss the case on production of sufficient evidence, or to authorise a grant in default of such evidence being produced.

Wairau Purchase.

In consequence of the unfavourable decision by Commissioner Spain on the alleged purchase of the Wairau district by the New Zealand Company from the Ngatiha tribe, it became necessary, to enable the Company to keep faith with persons to whom a portion of the district had been dispensed for, for the Government to purchase the land from the natives; and it was decreed by the Court while negotiating the purchase, with a view to remove all sources of future difficulty or disagreement, to endeavour to acquire the whole tract of country claimed by this tribe north of Kaiapoi.
The natives, after a protracted discussion, agreed (18th March, 1847) to dispose of the required territory, with the exception of certain reservations, for a sum of £2,000, to be paid in fixed annual instalments of £500 each. The block ceded by them extended as far south as Kaisipol, including the whole valley of the Wairau, extending towards from its mouth.

The acquisition of this tract of country threw open a large block of land admirably adapted for settlement, and in the course of a few years it became extensively occupied by sheep-farmers.

In 1848, the natives claiming the tract of territory lying between the district purchased from the Ngati Porou tribe on the north, and the block purchased by the New Zealand Company at Otago, having expressed a desire to Governor Grey, on his visiting the Southern Island, to dispose of their claims to the land, Mr. Henry T. Kemp, Assistant Native Secretary, was instructed by Lieutenant-Governor Eyre to proceed to Akaroa for the purpose of negotiating the purchase, which he subsequently effected for a sum of £2,000, to be paid in four instalments of £500 each, and £500 was paid to the natives on the spot as an earnest of the bargain; but it was subsequently found inexpedient, for several reasons, to adhere to this arrangement, and the balance of the payment was made in two amounts, one of £200, and one of £500.

The block ceded by the natives commenced at the boundary of the district purchased in 1847 from the Ngati Tōia on the north, and extended to the West Coast, including a large proportion of what was afterwards known as the Province of Canterbury, together with the northern portion of the Province of Otago, to the boundary of the block commonly known as the New Edinburgh purchase, from thence extending to Milford Haven on the West Coast. This purchase excluded Banks' Peninsula, it being then supposed to have been sold to the French.

In consequence of Mr. Kemp not having defined the reserves to be set apart for the natives, the Government were necessitated to depute Mr. Mantell to take up Mr. Kemp’s unexecuted work, which he satisfactorily completed, as will be found on reference to his Report on the subject, dated January 30, 1849, included among the papers on the Ngati Tai purchase.

Whilst employed on this occasion, Mr. Mantell set apart for the use and occupation of the natives, land to the extent of 5,400 acres. The average land was based on the census of the population compiled at the time, being at the rate of ten acres for every man, woman, and child.

These reserves have since been augmented by additional land set apart for the natives by the Government, to the extent of 940 acres, and by awards of the Native Land Court, in 1868, in fulfilment of promises made under the Ngati Tai deed, of 4,783 acres, making a total reservation in all of 11,143 acres under the terms of Kemp’s purchase.

Whilst the matter was before the Court, a question arose as to the validity of the aforesaid deed, and, in order to cure any defect which it was supposed to contain, it was referred, under an order of the Hon. John Hall, a member of the Executive Council, to the Native Land Court, for that purpose. This empowered the Court to deal with the case in question, and set apart additional lands in fulfilment of the original agreement between the Government and the natives.

The natives possess other reserves besides the area given here; this is merely the extent of land retained for them in the terms of the aforesaid purchase.

The formation of the Canterbury Association in England, in 1847, for the purpose of establishing a Church of England colony in New Zealand, led to the selection of a portion of the lands included within the reserves of Kemp’s purchase as a site for the future settlement. In 1849, on the arrival of Captain Thomas, the agent deputed by that body to select a site for the purpose, Port Cooper and the adjacent country was fixed upon by him as a suitable locality.

As a large portion of Bank’s Peninsula, irrespective of the French claims, was still in the hands of the natives at that period, it became necessary, accord to see, to place Port Cooper as a harbour, to make arrangements to extinguish the rights of their claim to that locality; and Mr. Mantell, the Commissioner who had been appointed formerly to complete the arrangements with the natives under Mr. Kemp’s purchase, was instructed to proceed there for the purpose; and, after a long and tedious negotiation with them, he succeeded, in August and September, 1849, in acquiring the largest portion of the Peninsula for £500. In the meantime, the Nanto-Bordelais claimed to a block of 30,000 acres was purchased by the New Zealand Company for £4,500.

Mr. Mantell also endeavoured to obtain thecession of the remainder of the native claims to the Peninsula, but was compelled to discontinue the negotiation in consequence of the determination of the possession of the natives to come to terms, under the impression that M. de Belligay, the Agent of the Nanto-Bordelais Company, would return and make them an enormous payment for their unaided land.

Within the block acquired by Mr. Mantell on the Peninsula, commonly known as the Port Cooper and the Port Levy purchases, land to the extent of 9,280 acres was reserved for the natives.

The adjustment of the difference between the New Zealand Company and the settlers at Nelson being dependent upon the Company being able to purchase from the natives a tract of country called the Waihoi, together with the adjacent harbour, which harbour and tract of country are the key to the Navigation of the Wairau, an attempt was made to purchase the district from the natives to enable the Company to keep terms with the settlers. The settlement of the matter, however, was delayed some time in consequence of the natives refusing Kemp’s Purchase.

Mr. Mantell deputed to conclude the Purchase.

Port Cooper and Port Levy Purchases by Mr. Mantell.

Waiohi Purchase.
to dispose of the Waibohi. But the question was satisfactorily settled with them towards the close of the year 1844, by an arrangement entered into with Governor Grey to dispose of the district on certain conditions, which conditions were subsequently carried out through the medium of Major Richmond, and Mr. Dillon Bell, the Company’s Agent, and the Company were enabled to complete the whole of the arrangements with the natives.

It being understood by the Government that the natives in the southern part of the Middle Island were disposed to part with all the uncleared land between the Otago block and Foreaux Strait, for the sum of £5,000, Mr. Mantell, who had been previously engaged in purchasing a large portion of the Middle Island, was asked to undertake the mission, and to make a scientific exploration of the country. Captain Stokes, of H.M.S. ‘Acheron,’ had previously reported on the capabilities of the district for settlement; on his return from surveying the southern portion of the Middle Island. In the examination made by him of the soundings from Otago, to Preservation Harbour on the West Coast, a distance of 230 miles, there were found only four roadsides and one port, and, of twenty-three rivers on this extent of coast-line, four only were available for small vessels, and two only, the Waitawaka and the Ohai, or New River, for ships of 300 or 400 tons. The Otei being of most importance, as it led to the fertile districts.

Mr. Mantell left Otago towards the latter end of 1851, and travelled down overland, exploring the country, as far south as the River Waiau, in Foreaux Strait, and, after arranging the preliminaries of the purchase, and laying off the reserves, seven in all, for the residence of the natives, he returned to Otago, where the purchase was finally completed on the 17th August, 1853. Considerable difficulty was experienced by him in effecting an arrangement with the natives owing to their increased demands, caused by the district being partly occupied by squatters, who had been endeavouring to buy the land from them with the object of selling it in small lots to the Government. The natives ultimately agreed to accept £2,000 for the district.

In consideration, however, of the delay in effecting this purchase, through various causes not attributable to the natives, and the long boat voyages they had made, ending in disappointment, Mr. Mantell recommended that they should be paid an additional £800, which was afterwards accorded to.

The tract of country included within this purchase had been previously annexed to the Otago block, when the boundaries of the respective Provinces of Nelson, Canterbury, and Otago were proclaimed, on the promulgation of the Constitution Act, in January, 1853.

To the north of the river Acreo, in Masacre Bay, sitting on the land included in the sale to the New Zealand Company, and extending as far as Cape Farewell and the Sand Spit, lay a block of land over which the native title existed up to the early part of 1853, at which date Major Richmond, the Superintendent of Nelson, was instructed by Governor Grey to make arrangements with the natives for the acquisition of this tract of country, as they had expressed a desire to dispose of it. In January of that year, Major Richmond, after visiting the district in company with Mr. Taini, the Government Interpreter, to arrange the preliminaries of purchase, recommended that he should be authorised to pay the natives the sum of £3,000 for the occasion to the Crown of their rights and interests in the aforesaid tract, and the purchase of the land was ultimately effected in May of the same year, for the sum of £2,500.

The two reserves and small areas within the block, the majority of those interested in the matter being provided with land elsewhere.

One of these reserves was situated at a place named To Rea, a few miles north of Pakewa, and the other at West Wangnaui; the former being set apart for Wiremu Kingi to Koikho and his son, Heni Kuku, two of the principal claimants to the block, and the latter for a native named Matatua and his family, residing in the locality.

In consequence of the purchase, considerable pains were taken to inquire into the respective claims, in order that no claimant, however small his interest in the land, should be left out; and the whole affair was eventually arranged to the satisfaction of all parties concerned.

In August, 1853, Governor Sir George Grey, assisted by Mr. Commissioner McLellan, entered into arrangements with the Ngapito tribe, subject to certain reservations, to dispose of the remainder of their claims by right of conquest, and to settle those of other tribes living on the spot, to the whole of the districts on the northern and western portions of the Middle Island, in consideration of the sum of £2,000; and £2,000 to be paid on the execution of the deed of sale, and the balance by instalments of £200, at the end of the year. Just, however, as these arrangements were initiated, Sir George Grey departed for England, leaving Mr. McLellan solely to carry them into effect.

The reservations alluded to consisted of the cultivation of the natives resident in the several districts, it being understood that Beangito, or D’Urville’s Island, was excepted from the sale. In addition to the cash consideration payable to the natives, it was further agreed that fifty of the principal claimants should have their names inscribed on a bronze tablet, and that the tablets should be deposited in the Museum of the School of Arts at Nelson.

In November, 1854, Mr. Rowan, Governor Surveyor, and Mr. Jenkins, Native Interpreter, at Nelson, were despatched to mark off the boundaries of such reserves as would be required for the resident natives; but owing to the jealousy excited on the part of some of the
natives to the Ngatiawa tribe, these officers were unable, except in a few instances, to effect any permanent adjustment of the matter.

In December of the same year, a large concourse of natives from different parts of the Nelson province, being assembled at Porirua, in the Wellington province, on account of their periodic visits, advantage was taken by Mr. Commissioner McLean, of the powerful influence of the tribes, to discuss with them the merits of their respective claims, and a unanimous desire expressed on the part of the assembled tribes to have the second installment paid to them at Porirua, instead of Nelson; and, in order that the whole might participate to a greater extent than the distribution of a single installment would permit, the natives present requested that a sum equal to four years' installment should be paid to them instead, urging as a reason that some of these chiefs had recently died, while others who had taken a prominent part in the conquest of the land were in a precarious state of health, and not likely to see the completion of the matter, if prolonged over so long a period as was at first contemplated. To this deviation from the original terms Mr. McLean had some difficulty in assenting, however polite it might otherwise have been in consequence of the understanding that the second payment should be made at Nelson; but as the natives from that province were the most urgent in the matter, he was at last prevailed on to forego the original intentions, so as to meet the wishes of the majority.

Besides the sum of £5,000 first agreed on, it was considered necessary, in viewing the districts comprised in the purchase, to augment that amount by an additional sum of £5,000, in order to effect a satisfactory settlement of the unsettled claims of various resident tribes, some of these once having been found to exist in the neighbourhood of Massacre Bay since the days of the New Zealand Company for which arrangements had to be made. Owing, however, to various reasons arising from Mr. McLean being obliged to visit other districts in the North Island, and from other causes, the final settlement of this purchase was not effected till March, 1856.

Large and extensive reserves were made for the natives at various points within the boundaries of the purchase, more especially at Taihape, near West Whanganui, and on the shores of Queen Charlotte Sound. To the latter place, the natives, for past associations, attached great importance, as the scene of many hard fought battles and final conquest; the greatest resort also in former years of whaling vessels from different parts of the world, with the crews of which they carried on a lucrative trade.

The reserves in the Sound were set apart for the members of the Ngatiawa tribe who resided in the locality, and were made of considerable extent purposely to induce these people to remain in the district, instead of returning to their former possessions at Tauawhi, which they seemed disposed to do, but where their presence would only have increased the troubles that then beset the land question in that province.

The only natives who opposed the sale by the Ngatiawa tribe, was a small section of the Ngatiawa, at Waiapu, under Wiroa Katoa te Manu. These people objected to the land being sold by their relations in the North Island without their consent, and declined to give up any portion of the land held by them as Waiapu, it being no more sufficient for their own subsistence; neither would they agree to receive any of the purchase money; and, as the land in their possession was not of greater extent than they really required, it was not deemed prudent to urge a settlement of this particular question upon them.

The documents in connection with this important purchase are comprised in thirteen deeds; and the conflicting claims of different tribes residing on both shores of Cook's Strait in the un purchased lands in the Nelson province, together with the unsettled state of the native mind in the neighbourhood of Tauawhi, with which district many of the sellers were connected, made the negotiation one of great difficulty, more especially as considerable jealousy existed on the part of the resident natives of the Ngatiawa tribe against the Ngatiawa residing at Porirua, regarding the right of alienation; and, although it was generally admitted that the latter had the right, though being the earlier invaders, many of the Ngatiawas, when not confronted by the leading Ngatiawa chiefs, professed to have an independent claim, that had not the settlement of the question been handled with considerable skill, the completion of the whole affair would have been frustrated; and, as a proof of the efficient manner in which these arrangements were perfected, not a single dispute has ever arisen regarding the title to any of the lands within the purchase.

The acquisition of such a valuable tract of country was considered to be highly advantageous to the Province of Nelson, as it then opened a large block of land for colonization at a time when extensive areas were left in the original district had been appropriated. It was supposed, also, that valuable minerals existed in the lands thus alienated by the natives, almost in the immediate neighbourhood of the Town of Nelson, in quantities calculated to remunerate the individuals who might undertake to work them. These mineral lands had been completely sealed to the colonists prior to the purchase, as any attempt to ascertain their worth would, in all probability, have induced the natives to attach a value to the lands which would have precluded their sale altogether. At a later date, also, on the discovery of gold at Arrowtown, in Massacre Bay, together with the knowledge that indications of the precious metal existed at various places along the West Coast of the Middle Island, the previous extinction of the native title, so ably managed by Mr. McLean, was a subject of congratulation to the Government and the settlers.

To enable the Canterbury District to keep faith with their purchasers, Mr. J. G. Johnston, of the Land Purchase Department, was, in 1856, instructed by the Government to negotiate with the natives of Kaiapoi and Akaroa for the relinquishment of certain claims preferred by them to land on Bank's Peninsula, which they had formerly refused to settle with Purchase of a portion of Bank's Peninsula, by Mr. Hamilton.
Mr. Mantell, in 1829, the land having been made over to the Association under the terms of the Canterbury Settlement Act.

Mr. Johnston's instructions were evidently based on the view taken by the local authorities, that the natives were occupying land that had been ceded to the Crown, or had reverted to the Crown through the New Zealand Company on the suspension of their charter, although the Ngaitahu company's block was defined before the New Zealand Company bought their rights; and, as it was found upon careful investigation that the land was still the property of the natives, it became necessary to offer them other terms than those first intended, in order to effect a complete and final adjustment of their claims, so as to prevent any further renewal of them.

The terms ultimately agreed on were: the payment of a money consideration of £200, afterwards increased to £300, and the reservation of 1,300 acres for their use and occupation, in three blocks of 400 acres each; and the question was finally and satisfactorily settled on these terms in December, 1859, by Mr. J. W. Hamilton, who had been instructed by the Government to take up the negotiation where Mr. Johnston had left off.

At the time Mr. Johnston was endeavouring to adjust the Peninsula claims, he was called on to investigate a claim preferred by the natives resident at Kaiapoi to lands north of that place, which they alleged had been wrongfully sold by the Ngaitahu tribe to the Government, in 1847. The Ngaitahu tribe urged their claim to this country before Mr. Mantell, in 1848, who declined interfering, as it was outside the limits of Mr. Kemp's purchase, to which his attention was confined, but at the same time he expressed his opinion that, so far as the facts rested between the Ngaitahu and the Ngaitahu, he gave it in favour of the latter; and in a letter dated Akaroa, 21st September, 1848, he stated —

"The grounds on which the Ngaitahu claim compression, are —
1. That the land was never occupied by the Ngaitahu.
2. That the Ngaitahu have never ceased to live on or near the disputed land; and
3. That subsequent to the last visit of the Ngaitahu, the Ngaitahu successfully conducted an expedition against that tribe, which was never surrendered."

In 1850, the natives brought their claim to this land before Mr. Hamilton's notice, which represented their matter officially at the time to the Principal Agent of the New Zealand Company, but no official cognisance appears to have been taken of it subsequent to that date, excepting an offer made by Sir George Grey, in 1851, to pay them £100 in satisfaction of their claims, until Mr. Johnston visited the Canterbury province for the purpose of adjusting the Peninsula claims, and reported the circumstances to the Government. Its settlement was afterwards finally effected in February, 1857, by Mr. Hamilton, so far as the Kaiapoi claimants were concerned, by a payment to them of £200.

The case, however, one unsatisfied claim, in the person of Matiu Tiramoana, to be dealt with, whose claim was subsequently settled by a payment of £200, through Mr. Storde, R.M., at Dunedin, in compensation for his interest in a large extent of country lying to the north of Kaiapoi.

North of the River Wairau, and extending as far as the Waiau Bluffs, there still remained an unsettled claim to be disposed of.

This claim was brought before the notice of the Government by Mr. Hamilton, in 1857, when reporting on the claims of the Kaiapoi natives; and, in 1858, Mr. James Mackay, jun., acting under instructions from the Government, succeeded in effecting a settlement of the matter by a payment of £300 to the claimants, and an ample reserve in land for their use and occupation.

Lack of the amount paid to the natives in satisfaction of the aforesaid claim, the total sum paid to the Ngaitahu for their claims south of Kaiapoi amounts to £2,000.

The only remaining claim in the Middle Island to be dealt with at that date, was for a tract of country lying to the westward of the central mountain range, commonly known to the natives as Pontini, or Arabura, inhabited by a branch of the Ngaitahu tribe. This claim was ultimately settled by Mr. James Mackay, jun., in May, 1860, by a payment of £200, and a reserve of land of 10,029 acres, of which 6,728 were set apart for individual occupation, and 3,301 to produce a fund for elementary purposes, in connection with the natives, under the provisions of the Native Reserves Act, 1866. Other lands in the same district have since been brought under the aforesaid Act, some of which have become very valuable in consequence of the discovery of gold on the West Coast, in 1866, which caused a demand for land for building and agricultural occupation, and the Native Trust is now deriving an annual income of between £9,000 and £13,000, from land that a few years ago was but a useless wilderness.

The settlement of the claims of the West Coast natives, and the subsequent purchase of Stewart's Island, finally disposed of all the land claims in the Southern Islands, and the only lands over which the native title is not extinguished, exclusive of the reserves set apart for the natives, are the Island of Raupuke, in Pororari Strait, Bangorotu, on D'Urville's Island, in Cook's Strait, and a block of land at Wakanuku, to the north of the Town of Nelson.

About the year 1868, in consequence of the illegal occupation of Stewart's Island by Europeans, and its then unsatisfactory position through not being annexed to either of the Southern provinces, the Government, with a view to put a stop to these irregular proceedings, considered it advisable to acquire the title from the natives, and take the necessary action to annexe it to the Province of Otago, provided that it fell within the jurisdiction of the provincial authority and the ordinary courts of law. A bill for the purpose was accordingly passed by the General Assembly, in December, 1868.
After some delay in obtaining the services of an officer to negotiate the purchase with the natives, Mr. Henry T. Clarke, Civil Commissioner for the East Coast District in the North Island, received instructions from the Government in February, 1859, to proceed to Over-" ساعث

Mr. Clarke, on arriving in the South, found the natives with whom he had to deal, on the point of starting on their usual mutton-bird expedition, and, after some time spent in assembling the claimants from the several settlements, a meeting was held with them at Nelson, on the 23rd of June, to discuss the terms of sale proposed by the Government, and on the 23rd of the same month they signed the deed of sale, conveying all their interest in Stewart's Island to the Crown, with the exception of certain reservations, for the sum of £3,000, to be paid as follows:—£2,000 down, £2,000 to be held by the Government at eight per cent, the interest to be paid annually, to be divided amongst the following natives, viz.:—Teone Topi Paki, Paki, Teone Kihau, and their heirs, failing all these the Governor shall direct how the principal shall be applied. The remaining £3,000 to be expended in the purchase of land in the Southland province, as an endowment for educational and other native purposes. A block of excellent land in the Hotakuni district, comprising 3,000 acres, has recently been obtained, in satisfaction of this condition, and an arrangement has been entered into with Mr. J. B. Kingwell to lease the island for twenty-one years, at a rental of £75 per annum for the first year, and £100 per annum for the remainder, the proceeds to be devoted to educational purposes for the benefit of the natives residing in the neighbourhood of i

The following reserves were made in fulfillment of the conditions of sale: viz., at Lord's Harbour, 30 acres; Port Adventure, 390 acres; Patterson's Inlet, 600 acres; Horsehoe Bay, 40 acres; Cultivation Point, 30 acres; Raggedy River, 60 acres; and at Port Eddy, 5 acres; or 885 acres in all. A reserve was also made at the Neck, but the area was not fixed, the quantity available being subject to old land claims. An island on the south head of Mason's Bay was also reserved.

The reserve at the Neck is intended for the half-caste population belonging to Stewart's Island, who by a recent enumeration account ninety-four souls in all; but as the estimated area of the Neck is only 700 acres, out of which two old unconfined land claims have to be taken, only a few of the half-castes will be able to procure land there in the ratio promised them by Mr. Commissioner Clarke, viz., ten acres for each male, and eight for each female; and other arrangements will have to be made to provide land for the remainder.

In addition to the reserves on the Island, a number of the adjacent islands were also reserved for the natives for bird-catch purposes.

The mutton-birds which frequent these islands form a large article of consumption with the natives in the neighbourhood of Foveaux Strait; large quantities are also preserved and sent northwards to their friends and acquaintances, in return for which they receive flour and other commodities.

Prior to the purchase of Stewart's Island from the natives, certain old land claims existed, for which grants had been recommended by Mr. Commissioner Bell in favour of the following persons, viz.:—Edward Brady, 885 acres at Port Adventure; Isaac Moore, 280 acres at Port Adventure, adjoining Brady's; James Jess, 80 acres at Patterson's Inlet, and 160 acres at Obersia; comprising in all land to the extent of 1,110 acres.

There was also an outstanding claim made by a person named George Green, under an alleged purchase of a large tract from the chief Taumaki.

The Commissioners advised Green not to proceed with this claim, as the amount paid, £30, would only entitle the claimant to 10 acres, and the expense of investigating the matter would amount to more than the cost of buying the land from the Crown.

It would seem, however, that Green subsequently succeeded in proving his claim, as an award of 105 acres of land was made to him in January, 1857, at Raggedy, or Ragged Point, Stewart's Island, by the Rev. Mr. Donnand, Secretary for Crown Lands, and Commissioner for the Court of Land Claims.

By an arrangement made in May, 1870, by Mr. G. S. Cooper, then Under-Secretary for Native Affairs, the whole of the old land claims on Stewart's Island, together with the native reserves, have since been surveyed, and the latter are now being added to the Native Lands Court to vest them legally in the natives under a Crown title.

In connection with the purchases effected by Mr. Commissioner Mantell in the Southern Middle Island, certain promises were made by him to the natives of the Question.

Ngahia tribe, in conformity with instructions received from Lieutenant-Governor Eyre, as an inducement for them to part with their lands, which promises were as follows:—"As by promise of more valuable returns in schools, in hospitals for the sick, and a constant solicitude for their welfare and general protection on the part of the Imperial Government, he procured the consent of their lands by small cash payments."

These promises, Mr. Mantell, in a correspondence with the Secretary of State for the Colonies, pointed out had never been fulfilled, and asked for the intervention of the Imperial Government in favour of the natives, since the Colonial Government had failed to realize the promises that he had been authorized to make to them, and recommended that Mr. Justice Mantell (who, as will be remembered, was a Stranger of the Colonial Government) might be asked to undertake the adjustment of the question, as, from his distinguished character and the well-known interest he had always displayed in the affairs of the native race, the matter could not be referred to a more impartial mediator. The Secretary of State (Mr. Lahontner) however, declined to interfere with it, without previous reference to the New Zealand Government, and Mr. Mantell, finding that no repARATION could be obtained for the natives, resigned the whole of the offices held by him under the Colonial Government.
Besides copies of letters that passed between the Secretary of State and Mr. Mestell, in regard to the provisions of which he had been the mediator to the Ngazikhau tribe at the season of the Anglo-German convention, a very interesting memorandum, by Mr. Under Secretary Rolleston, upon the question of unfulfilled promises to the Southern natives, will be found amongst the correspondences included in this work.

Until the middle of November, 1883, the Imperial Government reserved to itself the management and control of native affairs, and the sole responsibility for their administration; after that date the colony accepted such responsibility, in the terms of the Duke of Newcastle's despatch of April, 1888, and took upon itself the obligations of the Imperial Government towards the natives.

Amongst the papers also will be found a memorandum from the Hon. Mr. Fox, under whose Government Mr. Henry T. Clarke was despatched to the Middle Island with special instructions to inquire into the condition of the natives in the Otago Province, and to ascertain what pledges had been made to them on the sale of their lands to the Government, and how far these pledges had been fulfilled.

Mr. Clarke's report showed that the condition of the Ngazikhau natives was most deplorable. It should be observed, however, that this condition was not entirely attributable to the neglect manifested by the Government in regard to their pledges, but much more to the constitutional insolvency and improvident habits of the people themselves, and the condition by deplored had prevailed amongst them long prior to the colonisation of that part of the colony.

Mr. C. H. Hunter Brown was subsequently appointed, in January, 1883, as Civil Commissioner to examine Native affairs in the southern provinces, subject to instructions from the Colonial Government; and various recommendations were made by him as to the best modes of carrying out the unfulfilled pledges of the Government in respect of schools, hospitals, &c., and for the general improvement of the native resident in the district confined to his charge, but without any good result.

The Maoris are indebted to the early missionaries for having brought education within their reach. The marked and rapid improvement which took place among the aborigines prior to the establishment of the colony, is entirely owing to the exertions of the religious bodies residing amongst them, whose arrangements for the social and mental improvement of these people are worthy of the highest commendation.

The first schools were established by the Church Missionary Society at the Bay of Islands, in 1814, and the scholars were instructed in reading, writing, arithmetic, and the Church catechism; the women and girls were also taught needlework, and every kind of domestic employment, and the men and boys carpentry and field work.

The number of schools established in this way, through the instrumentality of the Society, in the northern part of the colony prior to 1840, were eighty-three.

The first mission station was established at the Bay of Islands, in 1824-15, by the Rev. Samuel Marsden, Colonial Chaplain of New South Wales. Mr. Marsden had been previously instructed with the capabilities of the New Zealanders for Christian civilization, together with the remarkable aptitude evinced by them for the acquisition of knowledge, which circumstances led him, in the year 1808, to suggest to the Church Missionary Society of London, the formation of a missionary establishment in New Zealand. This project was afterwards carried into effect under the sanction of the Governor of New South Wales, who issued a proclamation creating New Zealand a dependency of New South Wales, and appointed the first missionary, Mr. Marsden Kermad, Resident Magistrate at the Bay of Islands.

The mission station was founded in 1823, at Whangaroa, north of the Bay of Islands. But little success, however, followed its endeavours during the first four years in consequence of the turbulent state of the natives, and it was not until the year 1829 that its missionaries succeeded in establishing their head-quarters at Hokianga on a more secure footing.

The Roman Catholic mission, under Bishop Pompallier, was established in 1823.

For ten years the missionaries preached the Gospel without any apparent results. Not a day passed during that long period unmarked by some act of savage violence, and they and their families endured privations and perils hardly to be paralleled. The Baptist, in September, 1825, of a native named Rangi, was the first indication of success, but they had still to wait some years before a change took place; and notwithstanding the criminal services done by that body to the cause of Christian civilization, and whose disinterested exertions through a long series of years had alone rendered New Zealand an attractive field for evangelisation, they were treated with contempt and vilified by class of individuals, whose sole object appeared to be to decry their labour while reaping the fruit.

The visit of Hoagi and Weikato to England, in 1823, in company with Mr. Kendall, of the Church Missionary Society, enabled Professor Lee, while these chiefs were at Cambridge, to reduce the Maori language, from their pronunciation, into a written one, and compose a grammar and dictionary of it. This afforded the means of translating the Church Catechism, Prayer Book, and part of the Bible, into the native language.

These books have been frequently consulted for not having, in their early intercourse with the Maoris, taught them the English language instead of perpetuating the Maori tongue. In regard to this imputation, the Bishop of New Zealand, Dr. Selwyn, during his early residence in the colony, remarked as follows:—

 Among other erroneous impressions was the belief that the missions in New Zealand had acted unwisely in teaching Christian doctrine in the native language, instead of instructing the people in the English language. I have always had the same opinion, and before the end of my first year I have been engaged more or less ever since I came to New Zealand in attempting to teach English to adult natives. I may be excused, I hope, a fair witness on this question, and I have no hesitation in saying that if the missionaries had only used the language of the country, and used it in their preaching and teaching, there would not have been a Christian native to this day. I have never known an adult who has mastered our language sufficiently to use
it as a medium of spiritual instruction or thought, and it is considered unwise to expect any more when we know that this day Scotland, Wales, and Ireland, contain in many parts for generations the people who were not natives. Some parts are obliged to study the language most commonly spoken in the parishes to which they are appointed.

Sir George Grey was the first Governor who took active measures to carry out the instructions received by his predecessors from the Imperial Government regarding the promotion of education amongst the aborigines, and who perceived the necessity of teaching the New Zealand the English language as a bond of union between the two races. In 1840, schools were established under the provisions of the Education Act. The provisions granted for the use and towards the maintenance of the said schools, so long as religious education and industrial teaching, and instruction in the English language, shall be given to the youth educated therein and maintained therein.

With a view also of making further and more permanent provision, and to render the management of native affairs more independent of any temporary excitement to which representative bodies are liable, Sir George Grey recommended that a portion of the Civil List should be reserved for this purpose, which was afterwards fixed by the Constitution Act at £7,000.

In a correspondence which took place in May, 1848, between Sir George Grey and the heads of three principal religious bodies, the Governor undertook to recommend the appropriation of £1,000 out of the above-mentioned sum of £7,000, to those bodies for the purpose of native education, and subordinated a plan for their approval. This appropriation was subsequently sanctioned by her Majesty's Government.

In 1868, at the recommendation of his responsible advisers, Governor Grey removed the grant in aid of native schools from the Civil List, and made provision for them in another way; and in the same year an Act was passed by the General Assembly, known as the "Native Schools Act, 1868," appropriating £7,000 annually for these schools for a period of seven years.

The Act of 1868 has had far-reaching results. It has laid the foundation of the public schools in this country, and has been the means of securing to the inhabitants of the colony a better education than any they had previously enjoyed. It has also been the means of bringing about a great improvement in the education of the aborigines, and has laid the foundation of the present system of education in New Zealand.

With regard to the measures previously pursued by the Government for promoting the education of native children, Governor Grey, in a despatch to Earl Grey, dated 9th June, 1866, communicating the various measures adopted for the present improvement and advancement of the native race, states:

That no adequate provision has been made for their continual advancement in the arts of civilized life, and for the education of the native children upon such a system that they might have a prospect of standing on terms of equality with the European race, and of understanding and speaking their language.

The Government, therefore, in establishing schools, thought it most expedient not to attempt to set up a system of education that would have to be cultivated by the Government alone, and by the natives at their own expense. In the long run, it will be found that the benefits derived from the education of the natives will result not only in the advancement of the native race, but also in the advancement of the Government.

Very little progress has been made in promoting education amongst the natives in the Southern Island; anything they know in the way of reading or writing is mainly owing to the Government. The necessity of making the instruction of native children dependent is still a matter of discussion. The Government has endeavoured to meet the demand by establishing schools on the lines of the Government schools, and by sending inspectors to superintend the schools.

The only attempt in the Province of Nelson to establish a school on a large scale for native pupils, was made at Motueka by the Board of Management for Native Reserves, in 1848-49. This school was placed under the management of the Rev. Mr. Tudor, who was then the resident clergyman of the district, at which the children were taught the English language, writing and arithmetic, and religious instruction. The school was established in connection with the Church, and an instructor appointed for the purpose of teaching the children in agricultural pursuits.

In 1868, Sir George Grey appropriated about 918 acres of native reserve land, and 168 acres of Crown land, at Motueka, as an endowment for a school there for the education of children of both races, in religion, industrial training, and instruction in the English language, and vested the land in the Bishop of New Zealand.

Under Mr. Tudor's management it had a large attendance of pupils of both sexes, and considerable progress was made by them in the early rudiments of education.
tion; but after a change of masters took place—not from any want of efficiency on the part of the master who replaced Mr. Tudor—the natives gradually lost interest in it, and in course of time the number of its pupils began to decline, until the school had to be abandoned in consequence, and no further attempts were made in the matter until Bishop Selwyn's arrival in Nelson, in 1844. He found at least one school established under the efficient management of the Rev. W. Donaldson, who had had considerable experiences in training native children in the North Island, but the result of this effort has been anything but encouraging.

In November, 1843, a school was established at Kamo, in the Province of Canterbury, by the Christchurch Maori Mission, for the education of native children, but from the want of sufficient funds it was not opened until April, 1844. The natives gave twenty acres as a site, and suitable buildings were provided at a cost of about forty pounds sterling towards of the land. This amount was obtained from grants made by the General and Provincial Governments, and by contributions from the natives. The natives also set apart two acres of bush land to provide the establishment with firewood. A proportion of the annual expenditure had also to be subscribed by them, and the remainder was met by a capitation grant from Government.

The school was placed under the able management of the Rev. J. W. Stack, of the Diocesan Maori Mission, assisted by an efficient mistress—Miss Taylor. The pupils, seventeen in number, were instructed in English on the same system as is in use in the primary schools in Canterbury. The children, when last examined, had made considerable progress in the early rudiments of learning, but unfortunately for the continued success of the school, the whole of the premises were consumed by fire during the summer of 1879, and the want of sufficient funds has precluded its being rebuilt.

In 1840, by the bequest of the late Mr. John Jones, the Wesleyan Church established a mission at Waitakiri, and schools were conducted there both in the native settlement at Otago Heads, in connection with the mission, under the management of Mr. Watkin, and afterwards by Mr. Creed. Great credit is due to these gentlemen, and other members of the Society, for the exertions displayed by them in promoting the social and moral welfare of the natives in the south.

Not far from the town of Nelson, on the Ranga, a number of beaverlike gentlemen in Dunedin, sensible of the neglected state of the natives, formed themselves into a society, denominated "The Society for Elevating the Condition of the Natives in Otago," and appointed a master, Mr. Charles Baker, to hold a school at the native settlement at Otago Heads, and to pay the necessary visits to other parts of the province. On Mr. Baker being removed to the North Island, the Rev. Mr. Bevan succeeded him in the management, in which capacity he remained until his death, some time in 1867.

About the time also the operations of the Society ceased through want of means, and matters after a while relapsed into the same neglected condition as had obtained prior to their being taken under the management of the Society.

Since the year 1844, the natives in the southern portions of the island, in the neighbourhood of Porirua, had had the advantage of the Rev. Mr. Wothers's presence amongst them. Prior to that time, with the exception of one or two brief visits made to them by Bishop Selwyn shortly after his arrival in the colony, these natives had received no spiritual care.

For several years, until the latter end of 1848, Mr. Wothers lived a lonely life amongst the natives of the south, promoting their religious and social welfare, making long and perilous boat voyages from place to place, and spreading his influence for good amongst them far and near. At that period he was joined by a Mr. Honor, a pupil of the Hamburg Mission Institution, and shortly after, in 1850, while on a visit to Wellington, he was fortunate enough to secure the services of Mr. J. B. H. Theaker as an assistant. Mr. Wothers devoted his life to the work of civilizing the native families, and their joint efforts in promoting the general welfare of those natives are worthy of the highest commendation. For years they kept a school on the island of Rangatike by their own unaided efforts, doing everything out of their own means until they could afford no longer to do so, in consequence of the increased cost of the necessaries of life occasioned by the gold diggers in Otago.

The following narrative by the Rev. Mr. Wothers of his early experience in the south, gives an interesting account of the course that led to the establishment of the German mission in that quarter, and the subsequent history of the progress:

In May 1840 or 1841, the captain of a Benmore's whaling ship in the South Sea, strongly advised the then newly formed North German Mission Society to send missionaries to the Southern Islands of New Zealand. At the same time, the New Zealand Company proposed to found a large settlement of Europeans at Nelson, and, through a broach Company in Germany, a ship with German emigrants was to leave Hamburg for the place in question, and this voyage was to be joined by the missionaries and vessels. The Benmore, the New Zealand, and the Thetis arrived in Port William, this vessel taking instructions to the English Government, and to Winter, and New Zealand, and the Thetis arrived in Port William, and there joined at Lyttelton, the first and third already mentioned, the other two missions, after leaving the Lyttelton, on the 26th December, 1842, and reached Nelson on the 15th June, 1843. The settlers, comprehended the whole of the coast to the west of Dunedin, and there established a settlement.

It was found that the land selected in the settlement of Nelson was altogether inconvenient as a centre for mission work, the natives there being most already under the charge of the Church of England and the Wesleyan ministers. Mr. Birnie, however, went about himself of an opening at Totara, and accepted a position to the south, kindly offered by Mr. Frederick Tuckett, Chief Surveyor, who had chartered the brigantine Deborah for the purpose of finding an eligible place for a new settlement on the East Coast, of which the founding of the settlement at Otahuhu, some years after, was the result.

We set Nelson in March, 1844, and I reached Totara on the 17th May, same year. The population, including Europeans dispersed on the coast and islands in Portland Sound, was then estimated at about 600. of
which number over 200 were living on the Island of Ecipe, which island was also the residence of the principal native chief Tohawamali, commonly called "Bloody Jack" (afterwards drowned by boat accident), and Top Tolhi, a copper mining community for work.

These were about forty of fifty Europeans living on the shores of Totowana Strait that had been engaged in whaling and sealing, but this business was already on the decline, and most of them had settled down, built houses, cultivated gardens, raised pigs, goats, and poultry, and harvested their ample produce to the whaling vessel, in addition to their accustomed duties of sealing. The islanders had Maori wives, and large families of half-caste children.

Mr. Blyth, then Bishop of New Zealand, who had visited these places not long before my arrival, had already prosecuted the marriage of several of them, and bestowed their blessing.

I found, on inquiry, that most of the natives had arrived and settled in Totowana Strait within about twenty years before my arrival, they having been driven southward through the wars of Tamiuara. They were not healthy persons, and that their deaths had been numerous. I have attempted to state the number of the births to the deaths as one to four, and I learnt that this rate of decrease had been going on among them for many years. So one who fell sick was recovered. The sick ones had no hope, and the others had no heart or no energy. There were but few children among them, and those were not healthy looking; but there were plenty of half-caste children, and they were generally healthy and strong. The Europeans were all Maori fathers; though the Maori, though they were no longer natural savages, had not yet acquired healthy ways of living.

A form Christian worship, and several copies of the earlier translation of the New Testament had already been introduced here chiefly by native agencies, and not a few had already acquired the art of reading and writing, so that I found a prepared field for sowing the seed of the Gospel of Jesus Christ, and when by degrees the natives began to feel its quickening impulse, than a spirit of new life and energy began to work within them — they desired European civilization. But we were outside the civilized world: Wellington was the closest European town.

I found that they needed assistance in the advancement of civilization which I could not understate, and I promised to go to England for help. The natives were not satisfied, and I offered them a real remit; then, at the end of 1846, Mr. Hawes, a pupil of the Heads-ter-Mission Institution, was sent out to assist me. But it was coveted female help we chiefly wanted. In 1847, not long after the settlement at Otago had commenced, I found an opportunity to undertake a journey to the north, the successor of Captain Cook, and started from the interval of Otago and Totowana Strait.

My wife entered with spirit into the work of civilizing the native families, and so easy task it was to teach them simply and to instruct them in needlework, but it was encouraging to the happy results of what we thought a small effort to do.

Still our labour would have been much retarded through want of means, if God had not moved the heart of a friend in England to help us. Mr. Seferiksh Tuckett (whose name has already been mentioned as giving me much help in my voyage over to New Zealand) sent me an account of some land in the county of Londonderry, a part of his own country. He died in 1849, but his daughter, Mrs. Fairley, lived and inherited the property. She, with her husband, lived in London, most kindly and generously from three weeks from time to time very valuable tools, farm implements, seeds, five BLL with stones, kitchen utensils, books and papers for school and for reading, and other valuable things.

Much difficulty was experienced in conveying those goods from Otago to Ecape, which had mostly to be done in open boats, and a great deal of patience and working example had to be exercised to induce the natives to make use of the tools, as farm labor did not exist during their infancy.

It was a time, however, of the most fruitful season; the natives experienced the teaching of the gospel of Jesus Christ not having been working within their minds. Theirs, as is habitual, inordinate and improvident, was to take to the patient industry — which is inseparable from a healthy civilized life, unless the mind in one way or another be perverted. However, the natives liked Clothing them properly, and large as well as difficulties were gradually overcome. As by degrees their civilization advanced, and their temporal affairs improved, so began also their health reforms. In about ten years from the time I first came among them they had so far recovered that the births and deaths were about equal; but within these ten years half of their number had disappeared by dying and by accidents at sea; and when after ten years had passed, then the births began to exceed the deaths. Not only had the deaths become fewer, but their constitutions being much strengthened, the births became more numerous than they had been in former years. They had acquired habits of eating better food and drink, and of taking care of it, and improved themselves with suitable clothing and comfortable dwellings. This would show that they needed not to die out, by persevering in sterility; they would prosper and use the means necessary to the preservation of health.

The health of the small child is the first thing to be attended to, but we had to be very much to preserve in steady nursing. When European farmers established themselves in the South, the natives found they could not compete with them. At the same time sailing vessels and steamers began constantly to go between here and Melbourne, which facilities of transportation (by the open boats), the natives found that, by sending protected macaw-birds to the North and receiving flour in exchange, they could procure breadfruit with ease labour from by growing the wheat themselves, and so farming was stopped. By good management there might be life in the main, but that we could expect from the natives; the free spirit of the ancestors, and there is reason to the beginning and not to the end, and the ill-health of the Maori suffers through it. This again, while, a few years ago their minds were excited and unsettled about the native war in the North, there came secret Haua.$. against the South, and skilfully re-vised the chief ordinances, so that they could render the old spirits harmless who were supposed to be the cause of their dying out. So, by forming the bear of that they fell back into the old heathen the lies which are not far distant, and by coming from place to place with the wizards to offer up sacrifices, and to feast on part of the latter, they not only neglected their business, but fell back into habits of idleness. This naturally led to want of proper food and clothing, and has induced wantonness among the children, who for a few years spend a sickly existence and their waste away and die. During the last few or five years their health has been much improved, and in the year 1869, there were only two natives and an infant that died during the year, besides deaths from disease. This present year their health has much improved again, and I hope to God that we are over the worst.

I stated before, that the Europeans married to native women had plenty of healthy half-caste children. These are very common, and many of them have large and wealthy, and their education is due to the good society of the island. They are married either half-caste, or inter-married with the Maori; some also inter-married with Europeans, but as they live mostly in European communities they cannot longer be reckoned as native tribes. These half-castes and mixed families are far more healthy, and have larger families than the pure Maori. There can be no doubt that their descent from the European stock is the cause of their better health, but it may be questioned if this cause lies in the physical constitution of the body, or in a certain pre-existing quality to physical heredity, or in some other way. The Maori have less of this forethought than the half-caste, and these again less of it than the Europeans.

When a half-caste family has so far advanced in knowledge and civilization as to compete with the European settlers, they then generally leave the native place and move with the Europeans, which in their advantage. As a rule, however, the Maori is a very little advanced in knowledge; and it is well known on the Native Office. I need not say any more about it than that it is my aim, as teacher of the Native School, to educate the pupils so that they may be competent to mix and work with the European settlers, for that is the only way to save the Maori race from extermination.

In 1837 a fresh Act was passed by the General Assembly. This Act provides that £4,000 shall be appropriated annually for seven years for the education and maintenance of European and
half-caste children in accordance with its provisions; it also requires that educational districts be formed, and committees of management appointed, and that land be set apart as sites for school buildings and masters' dwellings; the natives to contribute a proportion equal to one-fourth of the expenditure. Schools not established under the provisions of the Act may also be sanctioned to the extent of three-fourths of the total annual expenditure provided the conditions of the Act are observed.

The Act has met with but partial success in the South; one of its chief objects is to promote an interest amongst the natives themselves in the education of their children, by making the government subsidy dependent to a certain extent on their own exertions; this has been one cause of its failure. Past experience has shown the mistake of placing too much reliance on the cooperation of native agency in carrying out plans which they do not sufficiently understand.

The natives have in many instances readily given up land, and preferred assistance towards the establishment of schools, and have done so under the conviction that those institutions were highly important for the welfare of their children, but this conviction does not lead to a prolonged and effective co-operation, or an active exercise of influence on their behalf. It is not that they have changed their opinions, but there are many influences at work to interfere with their successful development. One great obstacle is the prevailing indigence of the people. Natives give liberally when possessed of money, as an instance of which in the case of the natives of the Canterbury province, it may be stated that, between 1869 and 1888 they collected money amongst themselves to the amount of £435 for schools and church purposes, a large proportion of which was procured at considerable personal inconvenience; but it is hardly to be expected that a people who are in a state of semi-starvation will continue so diligent in a cause, more especially when it comes to be considered that they are in a great measure ignorant of the importance of education. They see many white men about them, unable even to read or write, who appear to be thriving very well in the world. It is not surprising, therefore, that they should be sceptical as to the real advantages of education to their children. Moreover, with regard to the natives in the South, specific promises were made to them on the occasion of the granting of the Native School Education Act, with regard for the education of their rising generation, promises which they naturally looked to be fulfilled.

There are three schools in operation in the Southern Provinces. One at Otgoe-Heads, established in January, 1873; one at Ruapehu, opened in 1868; and another at Riwerton, in Southland.

At Ruapehu, the natives set apart ten acres in 1867 as a site for a school and master's house, and suitable buildings were subsequently erected at a cost of £260. The school was first opened under the management of Mr. Heny, and during its early progress the pupils numbered between forty and fifty; since then a diminution of the population of the island has taken place through deaths, and the removal of a number of the half-caste families to Stewart's Island, consequently the average number of children in attendance has been proportionately reduced—according to the last returns to about twenty-five. The school is now under the management of Mr. and Mrs. Mather, whose chief aim has been to further the advancement of these people.

The Ruapehu and Riwerton schools possess an advantage over other schools in the South, arising from a fund accruing from a block of 2,000 acres set apart as an endowment, in the form of purchase of Stewart's Island, for educational purposes. This land has been set for a term of twenty-one years, at a rent of £75 during the first three years and £100 for the residue. This fund has been made since the 'Native Schools Act, 1869,' came into force for the purpose of bringing education within the reach of the native race residing in districts yet unsupplied with schools in the Southern Provinces, but little or no success has attended these endeavours hitherto, partly owing to the unsympathetic display by the natives themselves, caused in a measure by the idea that Government should make full provision for the education of their children in fulfillment of promises made to them in by-gone years, and partly by the opposition of local communities to admit native children to the District schools. The time is not without in the South, in regard to the working of the present Act, is the difficulty of collecting the proportion of the school fees payable by the natives.

The natives are too indigent to contribute regularly. As a people they give liberally when they have it, but nothing but the gradual development of provident habits will secure their always being in the possession of money.

The condition of the Act then requires the payment of the Government grant conditional on the payment of the proportion of the fees payable by the natives, bears very hard in consequence on the managers and teachers of these schools, who have, as a rule, quite sufficient annoyance to put up with without being continually perplexed concerning the ways and means. Maori school teaching is very up-hill work, and every encouragement should be afforded to those who have the moral courage and zeal to undertake the education of the native race.

It may be urged that, to throw the masters on their own resources would stimulate them to induce the children to attend regularly; but it may be from no want of efficiency on the part of the masters that prevents regular attendance amongst the pupils. There are numerous causes besides, which teachers of native schools alone can fully enter into, that interfere with the attendance of the children, and no one but those who have undertaken the task can comprehend the numerous difficulties and disappointments connected with the process. It seems unjust, therefore, to any persons who have undertaken so arduous a task as the education of native children, whom to the additional annoyance of having to suffer for a matter which they are unable to control.

The facts can not be disguised, that the education of the native race must be slow; the apathy of parents and relations is one great obstacle to progress; they are in a great measure ignorant of the importance of education, and the children unaccustomed to restraint of any
kind are not easily subdued; the parents also consider that they are conferring a favour by sending their children to be educated.

It would seem that one error in regard to the native race into which all have fallen is inaccuracy; too much is apparently expected of a people only recently reclaimed from barbarism. When it is considered what they were between thirty and forty years ago and what they are now, and then endeavour to recollect any instance of so sudden a change in a notoriously savage race, it is impossible to be other than deeply impressed by the fact, and it may perhaps be a consequence of this change that expectations in regard to the progressive rate of improvement that should take place amongst these people have been markedly raised. The disappearance of nakedness however by any backwardness on the part of the natives to change, or for want of showiness in perceiving what would be to their advantage—it simply arose from the inherent difficulty of speedily producing such a change in a people recently one of the most savage, as will meet the wishes and expectations of colonists lately come from one of the most civilized nations in the world.

In fulfillment of a promise made by Governor Sir George Grey to the natives, when visiting the Southern Provinces in 1867, that their claims to the reserves in the South should be investigated, and Crown titles issued. sittings of the Native Land Court were held in Canterbury and Otago in the months of April and May, 1888.

The first sitting of the Court was held at Christchurch, on the 20th April. The cases set down for hearing were of three descriptions:

1. Succession cases, or those in which the parties sought for orders to succeed their deceased relatives in the possession of land occupied by them in their lifetime under Crown grant. These claims were for allotments of land in the native reserve at Kaiapoi, as appurtenant to Mr. W. Ball, in 1860, under instructions from the Government.

2. Claims to reserves made by the Government in 1864, and subsequently within the blocks purchased by Messrs. Kemp, Mantel, and Hamilton.

3. Claims to land in various parts of the Province of Canterbury which it was alleged had not been sealed to the Crown.

The claims under the first head were easily disposed of, as also those under the third, being for the most part frivolous ones; the land claimed also, in many instances, had been resold by the Crown, and granted to private individuals. The claims under the second head occupied the Court a much longer time than was first contemplated, especially the investigation of claims to the Kapiapoi reserve, which occupied the attention of the Court for seven days in consequence of the claim preferred to the land by the Kapiapoi natives.

The chief motive which led the Kapiapoi residents to prefer a claim to this reserve, was the impression that they had a right to it in common with the Kapiapoi natives in consequence of having lived there in former years; and also, that at the apportionment of the Kaiapoi reserve in 1860, by Mr. Ball, the Kapiapoi people had been allotted a portion of it; and they alleged, that they were given to understand at the time that this principle was to be regarded as a precedent for the rest of the reserves when subdivided.

In order to overcome the difficulty, Mr. Rolleston, the Under Secretary for Native Affairs, who was acting as Crown Agent on the occasion, recommended that the Government should not part with other land for the Kapiapoi natives, in place of the quantity allotted out of the Kaiapoi reserve to natives of other places.

The Court also took a similar view of the matter, it being considered the best and fairest way of dealing with the natives on both sides, and land to the extent of 460 acres was ultimately awarded the Kapiapoi people in return for the quantity apportioned to others.

In satisfaction of the conditions of the Ngatiatu deed, of 1868, that the Governor should not part with other reserves when the land was surveyed, the Court ordered that in addition to the land already reserved to the natives within that purchase, other land should be set apart in fullness of the engagement, and that the reservations under the phrase “makania kar”-food producing places—should also be observed.

The following reserves were accordingly made in final extinguishment of all claims under the Ngatiatu deed, of 1868:— to the Kapiapoi natives, 1,053 acres, including five seol paes; to the Tarumutu natives, 226 acres; to the Akaroahekehine natives, 532 acres including five seol paes; and to the Wahuki natives, 670 acres, including three seol paes and a timber reserve—in all 2,252 acres.

The ordinary business of the Court came to a close on the 7th May, the remainder of the work being completed in Chambers; and the next sitting was held in Dunedin, on the 18th May.

There were sixteen claims set down for hearing in Otago, chiefly for reserves made within the boundaries of the blocks purchased by Messrs. Blyth, Kemp, and Mantel.

Among the cases were two claims—one for land in the town of Dunedin, and the other for land at Port Chalmers. With regard to the former, the Court had no jurisdiction, the land having been granted to the Superintendent, and the applicants were instructed they would have to go to the Supreme Court.

In the matter of the claims to land at Port Chalmers, the Court ordered, after a full investigation, that sections 401, 403, and 404 should be vested in Roseman Polie, Hani Weare, Kowhitirangi Puke, and Hani Teoki Tapeke, and their successors in trust for all the members of the Ngatiatu tribe who are now, or may be hereafter, resident south of and including Kaiapoi, in the Province of Canterbury.

A claim was also heard by the Court to the land on which the Otago Heads lighthouse stands, which the natives asserted had not been sold to the Government. The Court, however,
decided that the northern boundary of the native reserve was at the line of fence erected by the Provincial Government, the natives getting a grant of one acre at the spot mentioned in the deed of sale as having been excepted for them.

The Court ordered in final extinguishment of all claims and agreements under Kemp’s deed, that land to the extent of 2,000 acres should be awarded to the natives out of the Crown lands within the Province of Otago; out of which quantity 1,000 acres were allotted in satisfaction of the claims of those who signed the Ngaitahu Deed, and to the immediate descendents of those who were parties to the sale but who had never received any share of the land reserved for native purposes within the boundaries of the purchase, as stipulated by the deed.

The whole of the aforesaid claims were referred to the Court by an Order of Reference under the land of the Hon. John Hall, a member of the Executive Council, but in order to save any delay or insufficiency in the order, inasmuch as the 28th section of the “Native Lands Act, 1865,” requires that all such Acts shall be performed by the Governor, a bill was passed by the Assembly in 1866 called the “Ngaitahu Reference Validation Act,” which provides that “the Ngaitahu Deed” “shall be deemed to have been a valid agreement for the extinguishment of the native title and surrender to the Crown of the lands named and delineated on the plan annexed thereto, for all purposes of the said Order of Reference, and the orders made by the Native Land Court shall be, and be deemed to be in final extinguishment of the native title within the boundaries delineated on the said plan.”

With regard to the native population of New Zealand it is not easy to arrive at an exact calculation of their numbers, as no complete census has yet been taken. Dr. Forster, the companion of Captain Cook, estimated the population, in 1770, at 100,000; the early missionaries, at 250,000; previous to the establishment of British authority in the colony, the aggregate number of the native population was reckoned to be near 150,000; in 1848 it was estimated by Dr. D谈判 near 114,000; Governor Gisborne, in 1849, estimated it at 220,000; and Mr. M‘Lean, in 1853, at 60,000. None of these numbers, however, can be looked on as the result of a census, or of any other than purely ideal computations. The first estimate was founded on a knowledge of but a part of New Zealand, comprising some of the most populous districts in the northern part of the colony; and the most likely to be said of the succeeding estimates is, that they were approximations made on less rough guesses than the first. It seems probable that an over-estimate of the population may have been formed during our early intercourse with the natives from the fact of their being mostly found congregated together in large bodies for mutual protection in fortified pales, or else about the bays and streams in their immediate neighbourhood. These also were the places most likely to be visited by Europeans. It is also to be borne in mind, that the native population of a district would be sure to flock to any place which became resorted to by traders from a desire to obtain possession of European goods; hence the idea has originated that the population was more numerous than was absolutely the case.

The estimates made by Mr. M‘Lean, in 1853, seems to have been the nearest approximation to their numbers when compared with the enumeration made in 1853 at the request of Governor Brown, by which it appears that the ascertained number of natives at that period were 68,040, distributed as follows:

<table>
<thead>
<tr>
<th>Region</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland</td>
<td>68,040</td>
</tr>
<tr>
<td>Taranaki</td>
<td>5,015</td>
</tr>
<tr>
<td>Wellington</td>
<td>14,772</td>
</tr>
<tr>
<td>Nelson</td>
<td>1,120</td>
</tr>
<tr>
<td>Canterbury</td>
<td>838</td>
</tr>
<tr>
<td>Otago</td>
<td>825</td>
</tr>
<tr>
<td>Stewart’s Island &amp; Ruapuke</td>
<td>200</td>
</tr>
<tr>
<td>Chatham Islands</td>
<td>519</td>
</tr>
</tbody>
</table>

Total: 68,040

of which, 31,667 were males, 24,303 females, and 26 undefined.

By the foregoing enumeration it will be seen, that by far the largest number of natives reside in the northern portion of the colony, the Southern Island having only a population of 2,483.

According to a carefully-compiled census taken in 1859, the actual number of the natives in the Southern Island amounted to 2,066, in the proportion of 1,032 males to 1,034 females of all ages.

By a return recently published to an order of the House of Representatives, dated 4th August, 1859, printed in House of Representatives, dated 11, 1870, the population of the Northern Island appears to number 35,006, this added to the census taken of the natives in the Southern Island in 1858, gives a total of 37,069, exclusive of the Chatham Islands, showing a diminution in the last twelve years of 28,390, or about thirty per cent., but whether the census of 1858 is excessive, or that of 1869 defective, is a question that cannot be decide as regards the former, but taking them both merely as an approximation of the actual number at the time when taken, it will be seen by this a very large rate of decrease has taken place within the period named. This rapid depopulation is in doubt attributable in a great measure to the late war, for besides those that have fallen in action or died from their wounds, a large mortality has had been caused by the misery and privations undergone by both sexes of all ages, owing to the difficulty of procuring an adequate supply of the necessaries of life during and after the numerous struggles that have taken place in the last ten years, dating from the winter of 1860.

A considerable share also of the mortality referred to may probably be ascribed to the famine—Hau-hanium—that has prevailed for the past few years amongst many of the tribes
of the North Island, and which not only has distracted their attention from using proper means for providing a sufficiency of food for themselves, but has caused an unhealthy excitement in their minds anything but conducive to their well-being.

The social condition of the Maoris is altogether much inferior to what it used to be, their cultivation has completely declined, and their mode of living not improved. Their time of late years has been chiefly devoted to the development of political ideas, and the establishment of a system of government which has been productive of much evil.

There appears very little doubt that the native population has been over-estimated from the first, and that, apart from the rapid depopulation which has taken place during the last twelve years, a perceptible decrease has been going on since the early settlement of the colony. But great mistakes have been made as to the causes of the supposed decrease of the native population, but the only one that dates from a period subsequent to their intercourse with Europeans, to which much importance has been assigned, is the use of the blanket. With regard to the rest, it will be allowed that most of them had much greater force in ancient times, long before any Europeans had visited New Zealand, and that since the introduction of Christianity and Civilization, they have Neevelly declined. For instance, the fatal war conducted by Hangi against the Ngapuia and the Waitakie, that followed the first partial introduction of firearms, about the year 1860, which thinned and scattered the population of the Northern Island, and destroyed that of the Middle Island with the exception of a miserable remnant, had ceased before the formation of the colony, and can therefore be regarded only as having been a temporary check to population.

Of diseases introduced amongst aboriginal races by contact with Europeans, the small-pox, syphilis, and measles are those which have been most fatal; but the small-pox, which proved so terrible a scourge to the nations of Europe before the discovery of vaccination, and which nearly destroyed many of the hunting tribes of North America, has not made its appearance in New Zealand; and syphilis assumes in the natives so mild a form, and is so easily remedied with but slight medical aid, that their constitutions appear to have the power of throwing it off.

Measles appears to be the only European disease that has committed serious ravages among them. In 1838, measles destroyed many of the natives about Otago, and about the time of Sir George Grey's first departure from the colony (December, 1838), the natives of the North were attacked with the disease, which carried off a large number, mostly from the ranks of the young and the aged.

It would seem that the Polynesian race is peculiarly susceptible to this malady, for it was measles which proved fatal to the King and Queen of the Sandwich Islands during their residence in London, in 1844; and most of the New Zealanders who have visited England have been attacked by the disease.

Scarce diseases, idiopathic in the race from a constant intermixture of blood during the twenty generations that the Maoris have inhabited New Zealand, seems to be of a most fatal class. Pulmonary complaints are also among the chief causes of mortality; the heedlessness with which the natures keep on clothing one day to be cast aside the next, and replaced by a thin blanket or a sheet, must tend to increase disorders of the lungs. Of other causes, intemperance is generally the most fatal amongst the natives of countries that have been colonized by Europeans, but with the Maoris, intemperance, though on the increase, is only an occasional, not an habitual, excess, and can have but a very slight share in contributing to the destruction of life. Suicide, infanticide, witchcraft, and such like practices, whatever might have once been their importance as causes destructive to life, are among those which have materially declined. Neither can polygamy be fairly assigned as a cause, as it must have existed while the population was increasing to its greatest amount, besides it has prevailed in some of the most populous parts of the world.

The customs of infanticide in by-gone years was very general, and chiefly affected the females; but cases of the kind are very rare now--on the contrary, the desire for living offspring is very great.

A large mortality is caused amongst the children, at the time of weaning, by the improper food they are fed on, which frequently consists of decomposed potatoes or Indian corn, or other food equally injurious. The mothers also during pregnancy are ill fed, and consequently the children, when born, are often weak and sickly.

The constitutional infirmity of the women appears to be one of the chief causes of the want of numbers, and, according to the natives, this is quite a recent characteristic, although the absence of men was not unknown in former times. The want of foundling in the females has been attributed to the illicit intercourse which takes place between the sexes from a very early age, which, although considerable at the present time, was much more general in former days. The want of foundlings when the race was increasing. It would seem, therefore, that unfruitfulness must be traced to other causes.

There is another cause of sickness and of death, fatal to all ages alike, and that is the use of decomposed potatoes and Indian corn. This practice began among the Ngapuia people about the year 1830, and suddenly spread through the country, bringing with it all the ills that attend the presence of the Maoris subsisting mainly on a vegetable diet will to some extent explain the deficiency of vigour which appears to exist in the reproductive powers of the race. This idea would seem to be fallacious, considering that many of the nations of Asia exist in perfect health and multiply on a diet of which animal food forms but a small part. The food of the labouring classes of Ireland also is very similar to that of the Maoris, with the exception that the Irish peasant obtains milk, and does not eat putrid food. There would seem, therefore, no reason why the Maori population, subsisting in a state of scavenges, should not increase at a rate equal at least to that of the Irish peasantry.
The Maoris themselves attribute their decadence in some measure to the introduction of new food and clothing, and the attendant change of habits. They affirm that in former times, when their custom was to walk abroad with little clothing, and to pursue their ordinary occupations in a state of almost nudity, their powers of endurance were much greater, and their health much more vigorous. The reason of this, as regards the change of food and clothing, is these people, is entitled to some weight, but it is difficult to conceive that a change from comparative nakedness to a state of comfort as regards clothing, can have exercised a prejudicial effect on their general health.

The theory that the coloured race must fade away before the white race can receive little confirmation from the present decay of the former, for many of the chief causes to which their depopulation has been ascribed stand in full force at a period antecedent to the colonisation of the country, when the whites were insignificant in numbers, and sparsely located. That the red races of North America have gradually receded before the encroaching persistence of the white race, and have in many instances entirely disappeared, is not to be held to be the consequence of the simple presence of the latter, but is to be attributed not only to the extermination over extensive districts of the game which forms the principal article of subsistence, but in a greater degree to the extermination effects of intemperance, European diseases, and exterminating wars waged not only between the two races, but amongst the natives themselves. In localities where these causes of depopulation have had no, or only a partial operation, or where the people have been induced to adopt habits of civilization, the North American Indians have increased, and show every sign of healthy growth and prolonged existence; but it would seem that the adoption of those habits by the Maoris has not produced a corresponding effect, for instance, the natives of the Southern Island, who have been entirely free from the intestine commotions prevailing amongst many of the tribes of the Northern Island, have not increased in that geometrical progression laid down by writers on the laws of population. These people have been entirely removed from most of the causes of depopulation that have been taking place amongst the natives of the North during the past twelve years. They are possessed also of an abundance of fertile soil, with every facility for obtaining the necessities of existence, coupled with a climate of great salubrity; but, notwithstanding these advantages, their numbers in the aggregate of the present time does not equal the calculations of former years; the same inadequate disproportion of the female sex also exists that prevails amongst the natives of the North.

Mr. Dobbinson, in his "True Laws of Population," lays it down as a great law in nature, that wherever, either in the animal or vegetable kingdom, the existence of a species or genus is endangered, a corresponding effort is invariably made for its preservation and continuance by means of reproduction or formation of fresh species. Without nature, therefore, makes an effort of the kind alluded to, to arrest the rapid decline of numbers that is now taking place amongst the Maori population, or unless the cause of decay be ascertained and removed, it is not too much to infer, if the Malthesian theory is correct, that their extinction as a people will be but a question of time; and the coming New Zealand, whose image has been rendered familiar by the fancy of a distinguished historian and journalist, should be ever look upon the ruins of London, with awe—there can scarcely be a doubt—no small admixture of Anglo-Saxon blood in its veins.

The following remarks on the condition and prospects of the Maori race in the Southern Island, contained in a report prepared by the Rev. J. W. Stuck, of the Christchurch Diocesan Maori Mission, in 1870, appear appropriate to the subject in hand:—

Their domestic habits and customs, and their ideas of the world, are connected with the concern of daily life, differ so widely from our own, that it is only by isolating themselves within their resources that they can carry out their own schemes for the happiness and well-being of the community.

Whenever a difference arises between two persons about any matter, however trivial, a public meeting is called, a chairman elected, and the subject in dispute discussed and disposed of. Domestic squabbles, quarrels, the ownership of property, breaches of the moral code, are for the most part settled in this way. When a kauri tree is felled, he whose claim is disputed, goes to the forest with the felling party and receives payment for his share of the wood, the price being arranged among the Maoris, like a community, they are at present absent; not so much because they dislike the taste of intoxicating liquor, as because they have seen the ill effects of the abuse of them.

A notable feature which is visible in the Maori village, in all the tribes, is the amount of men who can hold a lighted candle at arms length, a practice which is occasionally resorted to at times. The water through the Maori village, and men, women, and children might be seen lying dead drunk in and around their huts. At such times dreadful crimes were perpetrated, the horrors of which still haunt the older men, and cause them to hold with pleasure the efforts made by their European friends to preserve them from the curse of drunkenness.

A cruel task, with us, can only annoy his own family with impunity, but a drunken Maori will always answer for the evil. He can enter house after house, and do and say what he likes. The laws of hospitality forbid this; he being that something of a social occasion, the few dropouts and toasts gone among the Maoris, but as a community, they are at present absent; not so much because they dislike the taste of intoxicating liquors, as because they have seen the ill effects of the abuse of them.
In every village there are lay readers, who hold Sunday and week-day services. Sunday-schools, Bible-clubs, and such are visited and prepared candidates for baptism and confirmation, and who do all this without receiving or expecting any payment for their services.

I have spoken of the poverty of the Maoris, but that does not prevent their giving. In one place seventy natives raised £10.09 in one year towards building a church; the amount represented 1,000 bags of flour, which were also the means of their livelihood. In another place, about the same time, 300 bags of flour were contributed annually £3 towards the Missionary's stipend, and an equal amount towards the boarding-school.

With the exception of the Wesleyans, who employ a most excellent native minister at Rakapu, our church always claims the undivided attention of the Maoris in the district.

If time permitted I could refer to many topics of interest connected with the subject of this paper, but I must now bring my remarks to a close by commanding the Christian Mission's Mission to your sympathy and your support.

Native Reserves.

The system of making native reserves originated with the New Zealand Company, and in the instructions to its principal Agent, Colonel Wakfields, who was entrusted with the purchase of land for the Company, one of the principles laid down was, that in every purchase a portion of the territory ceded, equal to one-tenth of the whole, should be reserved, and held in trust by the Company for the future benefit of the chiefs and the chief families of the ceding tribe. It was considered advisable to adopt this course in preference to making reserves for the native owners in large blocks, as had been the common practice, in regard to Indian reserves in North America, as that plan tended to impede settlement, and to encourage the aborigines to continue in a state of barbarism. The Company, therefore, directed that the reserves for the natives should be set apart in the same way, in the same allotments, and in the same effectual manner as if the reserved lands had been purchased from the Company on behalf of the natives. Accordingly, in pursuance with this intention, when the preliminary sales of land in the first settlements were held, the Company reserved one-tenth of the land ceded for the chief families of the tribe by whom the land was originally sold, in the same way precisely as if the lots had been purchased on their behalf; and the priority of choice for the native allotments was determined by lot, as in the case of actual purchasers, the selection being made by an officer expressly charged with that duty.

These reserves of land were looked on as far more important to the natives than anything that could be paid to them in the shape of purchase-money; as, however highly they were paid, the consideration given would only afford a brief enjoyment, and when it had passed away, what better would the recipient be for the gift, while these lands would remain with them as a lasting possession.

By way of a recompense for the moment, as well as in deference to public opinion, the Company, however, paid the natives what was desired, according to received notions, to be a sufficient price; but they considered the real worth of the land purchased from the natives to be the reserves set apart for their maintenance, and for schools, hospitals, and other useful establishments.

It was to guard the natives against that common failing of all aboriginal races—want of foresight, and to secure them from the dangers to which speculation exposed them if destitute of all landed property, that the Company invented the plan of Native Reserves, as those were possessions that could not be squandered away at the moment, but, as time passed on, their value would continually and immensely increase, and in place of a barren possession which it might part with, the natives would receive in return a property of considerable worth, that, if properly administered for their benefit, would ultimately prove of incalculable value.

And so, after his arrival in the colony, Colonel Wakfields concluded three purchases from the natives; and, in pursuance with the instructions received from the Company to the effect that, in every purchase, no contract, entered into with the natives for the purchase of land, care should be taken to mention that a proportion of the territory ceded, equal to one-tenth, should be reserved and held in trust by the Company for the benefit of the natives, he made it a condition of each of the deeds of purchase that a portion of the land should be set apart as aforesaid.

The system thus commenced was only adopted in the three first settlements founded by the Company, namely, Port Nicholson, Nelson, and New Plymouth, although reserves were also made for the natives in the settlements of Otago and Canterbury, founded also under their auspices; these, however, were merely occupation reserves, being land excluded from purchase, and could scarcely be considered native reserves under the New Zealand Company's scheme.

It would seem by the 18th clause of the agreement of 1840, that the Government had the power to make reservations of lands within the Company's settlements for the benefit of the natives in pursuance of the Company's engagements to that effect; and Lord Stanley, in a despatch to Governor FitzRoy, dated the 18th of April, 1844, referring to native reserves, says:—

There can be no question that they should be taken out of the Company's lands; the Company had, in former instructions to their agents, provided for reserving one-tenth of all lands which they might acquire from the natives for their benefit. By the 18th clause of their agreement, of November, 1840, the Government was, in respect of all to be granted to them, to make reservations of such lands for the benefit of the natives, in pursuance of the Company's engagements to that effect. It seems quite plain, therefore, that the Government is to reserve for that purpose one-tenth of the Company's land.

In October, 1840, Mr. Edmund Halswell, a member of the English bar, was appointed by the New Zealand Company to the office of Commissioner for the management of the lands reserved for the natives in their settlements, and general directions were given to him for the administration of the property.

The Company resigned the native reserves into the hands of Her Majesty's Government. Mr. Halswell was superseded in the management of the Trust Estates, and the trusteeship of the native reserves in New Zealand was vested by Governor Hobson in the Bishop of New Zealand, the Chief Justice, and the Chief Protector of Aborigines.
Besides the management of the native reserves, it was intended that the Bishop and his colleagues should have control over all money accruing from the proportion of the produce of land sales within the colony to be devoted to native purposes, which might prove from time to time to be disposable out of the funds set up to be set apart for this purpose after paying the expenditures of the Protector's department; the funds accruing from both sources to be expended in the establishment of schools for the education of youth among the aborigines, and in furtherance of such measures as he might consider to be conducive to the spiritual care of the native race, and to their advancement in the scale of social and political existence.

The proposal made by the New Zealand Company, in 1844, to advance £5,000 for native purposes on mortgage of the native reserves in the Company's settlements, was objected to, it being thought that any use made of raising money upon the security of the native reserves which might by any contingency cease the allotment of these lands from the beneficial use of the aborigines.

In 1841, the Chief Justice resigned the office of trustee, as he found the duties incompatile with his official position, for, in the event of the trustees being engaged in any lawsuit, he would be both judge and party in the suit at the same time; and Mr. Hallward was subsequently appointed to the sole charge of the reserves at Wellington, as agent of the trust vested in the Bishop and his co-trustee; and Mr. Thompson, the Police Magistrate, was appointed to fill a similar office in Nelson.

In 1848, Mr. Thompson, in his capacity as Agent of Native Reserves, selected 100 sections of one acre each in the town of Nelson, and 100 suburban sections of fifty acres each in the Motueka and Motueka districts, and acted as local manager of the property until June, 1850, when he removed to Sydney.

After the death of Mr. Thompson, the Bishop appointed Mr. M'Donald his agent.

In February, 1844, the Bishop resigned the office of trustee, and in the same year the Native Trust Ordinance was passed by the Legislative Council, for appointing a Board of Trustees for the management of property to be set apart for the education and advancement of the native race. The trustees named by the Ordinance were the Governor, the Lord Bishop of New Zealand, and the Bishop of Dunedin (as he then held the office of a resident bishop of Land Claims), and the Chief Protector of Aborigines. This Ordinance was not brought into operation, although it received the Royal assent, in consequence of the terms of the last clause not being fully complied with, namely, that the confirmation of the Ordinance should be notified in the Gazette before it came into operation.

The establishment of trustees for Native Reserves, as originally contemplated, not being carried out, the Government appointed Boards of Management, and in June, 1848, Messrs. Poynter, Carlisle, and Talbot, were appointed a Board of Management of the Native Reserves for the District of Nelson. The Board retained the management of the property till the middle of the year 1858, when the sole management of the property devolved on Major Richardson, who was then Crown Lands Commissioner, and who was ultimately succeeded, in the year 1867, by Messrs. Domett, Poynter, and Brunner, by appointment dated 1st December, 1860, as Commissioners under the Native Reserves Act of 1851.

Owing to the impossibility of carrying out the original scheme of the Nelson settlement, and the consequent necessity for some equitable compromise, the inhabitants applied to the New Zealand Company to modify the arrangements, so as to allow the landowners the option of acquiring fresh land, and promoting concentration by means of re-selection under certain conditions. In furtherance of this object, but not in the precise mode suggested by them, the Company proposed a new set of regulations in October, 1865. These, however, were received with great dislike, and consequently withdrawn. The settlers continued to press for a remodelling of the original scheme, and the directors therefore made another attempt to carry out such an alteration.

Negotiations ensued between a committee of the resident land purchasers on the one hand, and the Company's agents on the other; and certain resolutions were come to by the Nelson Committee, at a meeting of land purchasers and agents, held in Nelson, on the 30th of June, 1867, which were subsequently concurred in by the Company, subject to certain modifications.

The following extract from the aforesaid resolutions has reference to native reserves:

One object, arising out of our proposed plan, but not coming strictly within the scope of our own duties, yet we consider it our duty to make a few remarks upon. We allude to the native reserves. With respect to the rural sections, it is understood that the Governor, in making the large reserves, has had the natives at the Wairau in view, and excluding the 100 rural sections according to the original scheme, but in the case of the town and suburban sections, the effect of our proposal would be to allot a much larger proportion than one tenth of the land actually sold to the natives. Now however, it is not that we object to this, for any alteration in them would be considered as a question; but we would suggest a memorial being addressed to the Governor, with a view to limit the number of town and suburban reserves to one tenth of the land actually sold, so as to throw upon the remainder for present choice.

In compliance with a proposition to that effect subsequently made by the Resident Agent of the Company on behalf of the land purchasers, the Governor consented to a reduction of the proportionate allotments for the whole settlement. This led to the surrender of forty-seven of the town reserves, but the reduction was not extended to the suburban sections.

With reference to the large reserves in the Wairau, alluded to in the foregoing extract as having released the Company from selecting the 100 rural sections according to the original scheme, unfortunately for the interest of the Trust Estate these reserves, which consisted of two separate areas, were divided among the settlers at the time the Company was unable to make the first sale of the district by the natives in March, 1847, were subsequently included in the second sale to the Government in 1858, without any precaution being taken to set apart a
sufficiency of land in satisfaction of the quantity the Trust was entitled to under the original scheme as rural land.

In addition to the Company's lots, certain other lands were set aside for the natives in the area, to the number with certain resolutions agreed to at a conference held in Wellington, in June, 1884. Between the Imperial Government and the Company's Principal Agent, to the effect, "that the pela, burial places, and grounds actually in cultivation by the natives, situated within any of the lands appropriated to the New Zealand Company, should be retained for the use of the natives."

The lands of this description in the Nelson settlement were chiefly situated in Masseera Bay, and consisted principally of cultivated grounds scattered in small patches of a few acres, in all manner of fashion and separated out by sections owned by European proprietors.

In 1847, Governor Grey, in order to remedy the inconvenience caused by the vague description given of these lands, directed them to be surveyed as described in the award to the Company, and in accordance with the original understanding.

In 1846, at the time of Mr. Commissioner Spain's inquiry into the New Zealand Company's claims to land in the Nelson settlement, Mr. G. Clarke, the Sub-Proctor of Abridgines, recommended the exchange of a number of the sections selected as native reserves at Motukaka, in lieu of an equal number of suburban sections in the same district, which were found to be in the occupation of the natives. This recommendation was subsequently acted on, and eight native reserve sections, viz., Nos. 7, 9, 10, 11, 16, 28, 29, and 26, were exchanged for suburban sections Nos. 162, 165, 162, 212, 219, and 220.

The whole of these sections had been previously awarded to the natives by Mr. Commissioner Spain, together with eight other sections, situated in all, in confirmation of the arrangement made between Captain Wakefield and the natives shortly after the arrival of the preliminary expedition at Nelson, to the effect that they should retain a considerable portion of the Big Wood, at Motukaka, then in cultivation by them.


The sections marked * were those for which an equal number of Native Reserve sections had to be given in exchange.

Besides the exchange alluded to above, the Board of Management found it necessary to make further alterations, in consequence of the natives having located themselves on most of the purchased sections in the district. To obtain any difficulties that might eventuate from these encroachments, the Board surrendered Native Reserve sections Nos. 20, 29, 35, 38, 73, and 74, for the sections encroached on, viz., Nos. 181, 184, 210, 211, 219, and 233. Upon five of these sections considerable cultivation had been made, and it would have been next to an impossibility for the European owners to have wrested possession from the numerous occupants.

Irrespective, however, of the advantage gained for the natives in carrying out this arrangement, it was also of great benefit to the Trust Estate, inasmuch as the land taken in exchange by the Board was of superior quality to the land given up, and being contiguous to the great bulk of the native estate in the Wood, at Motukaka, it was, moreover, of much greater value than the detached sections at a distance from what was then the inhabited portion of the district.

In 1853, Sir George Grey granted a number of the native reserve sections in the Wood—in all 518 acres—to the Bishop of New Zealand, as an endowment for an Industrial School for the education of children of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean.

This grant was looked upon as a violation of the contract on which the settlement was founded, and in violation of the original intention for which the lands were set apart by the New Zealand Company.

A special committee of the Nelson Provincial Council expressed their disapproval of the grant, and a memorial was forwarded by them to the Secretary of State for the Colonies, praying that the necessary steps might be taken to set the grant aside, but although permission was subsequently given to test its validity by a writ of "seque faciunt," the matter was allowed to drop, as other interests were involved, which it was considered inexpedient to disturb.

The origin of the numerous grants that had been made in various parts of the colony, appears to have sprung from a correspondence in the years 1849 and 1851, between the then Governor, Sir George Grey, and Earl Grey, the Secretary of State for the Colonies, in which the Governor points out the advantages that would ensue to the promotion of Industrial Schools for the natives, if grants of waste lands of the Crown were made, to provide for the subsistence of the children educated therein, and suggests that the advantages proposed should be extended to children of natives of islands in the Pacific Ocean.

Earl Grey, in reply, approved of the scheme as a very good one, both socially and politically, and expressed his satisfaction of the general sufficiency of the instrument by which it was proposed to convey the lands to be set apart for the maintenance of the schools.

Had the original intention been adhered to of setting apart Crown land as an endowment for these institutions, no objection could have been taken to the appropriation of land for so laudable a purpose; but, from some unexplained cause, these appropriations were made to industrial schools only for the natives under express agreement with the Imperial Government under the terms of the purchase of these sections of the New Zealand Company, and as part of the consideration for the cession of native territory.

The purpose of the reserve was clear and exclusive, and forbade their use for general endowment, and had the "Native Trust Ordinance, of 1844," been in operation, these appropriations for general purposes could not have been made, as its provisions expressly prohibited alienation except by lease, and declared all charges or incumbrances on the Trust Estate to be void.
In September, 1862, an Act was passed by the General Assembly, known as the "Native Reserves Amendment Act, 1862."

This Act provided that, on and after a certain date to be fixed by the Governor, by proclamation, all the powers and authorities which by the "Native Reserves Act, 1866," were vested in the Governor, shall vest in the Governor-General; it also provides that the Governor may delegate the whole or any part of the powers, or any part of the powers, or any part of the duties of the Governor, to any person or persons, for any period, subject to such regulations, restrictions, or stipulations as may be specified in the Order of Delegation.

In conformity, therefore, with the provisions of the aforesaid Act, a proclamation was issued on the 21st August, 1863, fixing the 1st September, 1863, as the date for the Act to come into operation.

There are four classes of reserves in the Southern Island, viz.:—

1. Reserves set apart by the New Zealand Company in the Nelson settlement under the original scheme. This class comprises an area of 6,063 acres, a large proportion of which is in the occupation of tenants, and the revenue being in various ways for improving the general condition of the natives. The total amount collected from the natives since the year 1862, the period at which these lands were selected, to the 31st December, 1865, amounted to £21,322 11s. 1d.; and the expenditure on behalf of the natives during that period was £21,322 11s. 1d., leaving a balance of £21,322 1s. 1d. to the credit of the fund.

2. Reserves of the second class are lands that have been brought under the operation of the "Native Reserves Act, 1866," with the assent of the natives. The reserves of this class are situated chiefly on the West Coast of the Province of Nelson, and in the County of Westland. A portion of these lands only is productive. The total revenue collected from the portion of these reserves in the occupation of the natives since the lst July, 1865, the date at which the portion alluded to first became occupied, to the 31st December, 1866, amounted to £14,561 10s. 7d.; while the expenditure for the same period was £10,236 6s. 5d., leaving a balance to the credit of the fund of £4,325 10s. 2d.

3. Reserves of the third class are lands that have been excised from sale by the natives on the occasion of the purchase territory to the Crown, and set apart for their use and occupation. These reserves very soon have been utilized in the way of producing a revenue, the land being chiefly required for the use of the natives.

The natives in the Province of Canterbury and Otago have obtained titles, under the provisions of the Native Lands Act, 1865, to the whole of the reserve of this class situated in these provinces, during the sitting of the Native Lands Court there in 1865.

4. Reserves of the fourth class comprise the awards made by the Native Lands Court in 1866, in fulfilment of all claims under the terms of Kamea or Ngaiata, of 1868, in pursuance of which the Court set apart, in the Province of Otago and Canterbury, land to the extent of 4,463 acres.

Besides the reserve alluded to above, a few parcels of land have been devoted to this purpose by the Superintendent of provinces, especially in Canterbury.

If it seems necessary to enlarge further on this subject here, as a full return of the reserves in the Southern Island, together with copies of reports from the several Commissioners, will be found amongst the papers included in this work, under the head of Native Reserves.

One important feature of the early part of Governor Grey's administration, was the abolition of the Protectorate department, in 1863. Concerning the expediency of this measure, very different opinions have been entertained, some considering the office of protector of aborigines of vital importance, others denouncing its existence as a misfortune, which could not too soon be extinguished. The office being the rule of all British subjects, whether colonists or natives, ought equally to be the protector of both races. In justice to the gentlemen who had filled the duties of Protectors of Aborigines, the Chief Protector, Mr. Clarke, who had filled the office for many years, was offered the position of Native Secretary, an office created in the place of that of Chief Protector, while the subordinates in his department were offered employment as clerks or interpreters, as vacancies occurred. The post of Native Secretary was subsequently filled by Mr. J. Jermy Symonds, and afterwards by Mr. W. L. L. Maclean, (the present Native Minister), in which capacity, and as Chief Land Purchase Commissioner, he acted for many years.

Among the measures taken to replace the protectorate department, with a view to bring the natives under the influence of the Government; and gain their confidence and attachment, hospitals were established in the principal districts, to which both races were equally admitted; savings banks were established at Auckland, Nelson, and Wellington; a lawyer was engaged as circuit council, to whom all the natives resorting to Auckland for justice were referred to, a fixed fee of £100 a year being paid to him from funds applicable to native purposes, and a further fee of five per cent, on all amounts which he might recover for them; and to convince the natives that our laws were better than their own as affording more perfect security for life and property, and a much more ready means of adjusting differences which might arise either between natives and the settlers, or between themselves, a system of Resident Magistrates Courts were established in Major and mixed districts, presided over by European Resident Magistrates, aided in native cases by paid chief assessors. An Ordinance was also enacted to prevent Europeans from abandoning, in the state of utter destitution and misery, their half-caste children, as they were previously in the habit of doing. The construction of military roads, and other public works, about this time in the neighbourhood of Wellington and Auckland, gave extensive employment to a large number of natives as well as Europeans, who, when opening up the country, taught the natives the use of European implements, and the advantages of comfortable and continuous labour. As a means also of still advancing the civilization of the natives,
two laws were passed, the first of which prohibited them from procuring arms or ammunition, and the second legalized the sale of spirituous liquors to them. The restriction placed on the sale of arms and ammunition was unfortunately relaxed by Governor Browne, about the year 1850, and within the three following years the natives, according to Government returns, purchased and consumed more than $12,000 worth of arms and ammunition, and it was probable the possession of these resources that emboldened them, when the time arrived, to defy the power of the Government.

Means were also taken to provide for the education of native children, by establishing schools in conjunction with those already opened by the missionaries; a tolerably efficient medical attendance was also established in the most populous native districts, and a weekly newspaper was started, wherein were published the native news and events, as they were explained, and its columns open to them for complaint. The publication of this useful periodical ceased after a while, and has been superseded of late years by a "Gazette" in the Maori language, issued periodically, under the authority of the Government. By its means the natives are kept constantly acquainted with all matters adopted by Government on their behalf.

In the despatches to Governor Grey accompanying the charter of 1850, Earl Grey advocates the principles laid down by the late Dr. Arnold, that all waste and unoccupied lands are the property of the Crown, and that the Crown has the sole right to administer them for the benefit of all her Majesty's subjects, whether aborigines or colonists, and that if the colonization of New Zealand were only then about to begin, these were the principles upon which it would have been his duty to have instructed the Governor to act.

On the publication of the correspondence in the colony, the Bishop of New Zealand, as the "head of the Church Missionaries," protested strongly against this doctrine. The Wesleyan missionaries in New Zealand were a subject of considerable quarrel.

The principal objections raised were as follows:—That the Treaty of Waitangi, which guarantees to the natives the full and exclusive enjoyment of their landed rights, could never be repudiated. That the instructions to Governor Grey were at variance with the terms thereof, and that every acre of land in the country, whether occupied or not, was claimed by the aborigines, each tribe and family having its respective boundaries, and except in some few cases of international dispute, acknowledged by all, and consequently that there was no land in the colony that could be appropriated to the Crown without purchase. In reply to these remonstrances, Earl Grey disapproved any intention of infringing the rights of the natives.

In opposition to the opinion expressed by others, Governor Grey, in his despatches to Earl Grey on this subject, states as his belief that in the most densely inhabited portions of the Northern Island there were large tracts of land, claimed by contending tribes, to which neither of them had a strictly valid right, but that any attempt on the part of the Government to assume a territorial right over the land would lead to a war of races.

But apart from these expressions of opinion, no attempt has ever been made on the part of the Crown to encroach upon the territorial rights of the natives, or infringe upon the spirit or the letter of the treaty of Waitangi, and in recognition of these rights, the principle observed in the acquisition of territory was, that the land could only be obtained with the full and free concurrence of the native proprietors. Care has also been taken in all purchase effected by the Government throughout the colony, to set apart for the native owners adequate portions of valuable land in eligible situations, under arrangements that would secure them against their own incompetence and improvidence, and many of these reserves, especially in the Southern Island, have proved very valuable.

In 1856, an Act was passed by the General Assembly empowering the Governor to appoint Commissioners for the management of those lands, and all lands so vested in them to be considered, for all judicial purposes, the property of such Commissioners; a subsequent Act, passed in 1860, made the Governor responsible for the execution of these powers and estates, and transferred them to the Governor with power to delegate.

With a view to make provision for the settlement of land disputes amongst the natives, the Government caused an Act to be passed, in 1868, entitled the "Territorial Rights Act," to enable the native tribes to have their territorial rights ascertained and defined, and to provide for the issue of Crown grants, to a limited extent to individual natives, of lands over which the native title shall have been curtailed; such grants in certain cases to be unalienable. The attempt, however, was defeated, owing to the Act containing some important objections relative to the proposed issue of certificates of title to the natives, a power which her Majesty's Government, under existing circumstances, considered inexpedient to grant to the colonial Legislature.

The next attempt of the kind was made in 1869, by passing the "Native Lands Act," empowering the Governor to constitute Courts for determining the proprietaryship of native land. This measure received the Royal assent, and the General Assembly were empowered to repeal sections 70 and 71 of the former Act, which secured the Crown's ownership over native land. An annulling Act was passed in 1864, and a fresh Act in 1866. This Act, subject to the amendments made from time to time since that date, is now in operation throughout the colony.

The object of the aforesaid Act is to provide the means of extinguishing the native title from its present entanglement, for reducing it to fixed rules, and for subjecting it to the jurisdiction of the law; and to enable the native inhabitants in the lands over the natives (which comprises a large proportion of the Northern Island, including some of its most fertile portions) being brought within the reach of colonization. It was also hoped that by its means the communistic habits of the natives, which at present run through the whole of the institutions upon which their social system is based, would be eradicated, and which act as a barrier to the further progress of the people; and that, in giving them the same individual ownership in land which we ourselves possess, they would gradually lose their communistic character, and their usual state become assimilated to our own.
After the termination of the disturbances in the neighbourhood of Cook's Strait, in 1847, on the natives winning a desire to emulate the colonists in agricultural and other pursuits the Government encouraged their efforts with liberal support, by supplying them with ploughs, harrows, threshing-machines, cars, and other agricultural instruments, and were induced in the native districts to pay the public expense, and millers and engineers paid to work them.

Notwithstanding the various attempts made to further the advancement of the natives, the farms of discontent prevailed amongst many of the larger tribes of the North, who felt that they were not governed to their liking. This feeling ultimately developed itself in the appointment of a king of their own, and the formation of a league to prohibit the sale of land to the Pakeha. The tribes who originated that measure had viewed with alarm the rapid alienation of native territory made by other tribes, together with the progress of colonisation going on around them, and dreamed lest the day should arrive when they should be persuaded to sell their lands, and admit amongst them the advancing tide of immigration. This suggested the idea of forming a league, and most of the tribes who desired to hold the colonists at arm's length, joined it. Many of the tribes, however, repudiated the interference of the King and the league, and still continued to dispose of their land to the Government.

The following remarks on the subject, are mostly taken from a Memorandum attached to a dispatch from Governor Browne to his Grace the Duke of Newcastle, dated 18th July, 1861.

"It would seem that the true origin of the King movement amongst the natives has never been thoroughly examined. As early as 1840, the idea was entertained among them of appointing a king of their own, and the motive that led to it is assumed to be identical with the movement that has been going on amongst them for the establishment of some system of law and order among themselves. This view it would seem was erroneous, as the two movements were distinct, till the Waikato tribes by joining the insurrection of 1860-61, effected the distinction, and made the King movement the one question to be politically treated.

"Prior to the establishment of British sovereignty, the tribes were ruled by the principal chiefs, each chief assuming more or less power according to his courage, and skill in acquiring ability in governing them. It was not until the Treaty of Waitangi was offered to the people, that it was accepted in two different senses: the chiefs believed it would confirm their power over the tribes; the common people supposed it would secure them from the ambition of the chiefs. This probably was the true origin of the distinction between the subsequent movements for law and order under the Queen's sovereignty, and for the establishment of separate and independent sovereignty under King George.

"During the last five or six years of Sir George Grey's rule the country was quiet. He had succeeded in creating a strong feeling of personal attachment to himself amongst the natives of most of the tribes. One of his principal aims had been to encourage the emancipation of the people from the Maori rule of the chiefs, while he wished to give the chiefs an English status; but soon after his departure from the colony the old feeling revived amongst the chiefs, and a council who had been the chief supporters were formed in the attempt that was then made to restore their powers; and at the great meeting at Manawatu, in 1863, was first seen the form of the King movement, its chief object being nothing less than the assertion and maintenance of the separate and independent nationality of the Maori race, as well as the prohibition of all further alienation of territory to the Crown, or to individuals of the European race, as a means of obstructing the further progress of European settlement."

Many persons were of opinion, that in its early stage Kingism might have been moulded into something useful, and have proved the means of elevating the native race by the introduction of institutions subordinate to and in harmony with the Government of the colony, and an attempt was made to do so by Governor Browne, on the recommendation of his responsible advisers, whereupon two laws were passed by the General Assembly, in 1866, entitled respectively the "Native Councils Court Act," and "Native District Regulations Act." These were intended to be the first steps in the direction of securing the administration of justice among them. Thus, the first-named Act conferred large powers upon Courts presided over by European Magistrates, assisted by Native Assessors, for carrying into effect both the general law and special regulations made by the Governor; while the second empowered the Governor, with the assent of the natives, to put in force regulations for any purpose with respect to which it would be prudent to make laws without the intervention of the colonial Legislature.

The introduction of these measures was attended with considerable success, but after a while it was considered expedient to abandon the attempt to follow out the policy prescribed by them from fear of arousing the jealousy of the old native chiefs, especially Potere, and thereby furnishing the flame of Kingism which, if left alone, might probably die out of itself, and give place to the better organized and more intellectual arrangement instigated for the maintenance of law and order.

Another scheme for the better conduct of native affairs, and to bring the natives more under the influence of the Government, was propounded about this time, and an Act passed for the appointment of a small number of chiefs to constitute a Council as a medium of communication between the Government and the native chiefs in all matters pertaining to native affairs. (See Act XV. of this Act provided that it shall not come into operation until confirmed by the Majesty of Queen Victoria, and the declaration of an confirmation shall be made by the Governor in the New Zealand Gazette, which proclamation does not appear to have been issued.

On the supersession of Governor Browne, in 1861, by Sir George Grey, steps were taken at once by the latter, with a view to divert the attention of the natives from the King movement, to promote as much of the plan of local self-government amongst them commenced by his predecessor as should be found adapted to their condition and circumstances, and for that
purpose to take advantage of the system of remonstrance then in operation in most native districts, and by properly constituting and investing those with specific functions and authority, to place them in such a footing as would make them efficient instruments in the hands of the Governor for establishing and maintaining law and order, and improving the social condition of the native population. And while it is much too early to see into a good system for teaching the natives the first steps in political life, and prepare them hereafter for taking a full and equal share in the Government of the colony—which the theory of the Constitution already gave them—as well as her Majesty's subjects of the European race. Under this system, the native districts were divided into hundreds, and European officers appointed to conduct the affairs of the respective divisions, aided by a staff of Assessors chosen from among the best disposed of the native inhabitants.

Although various measures were introduced by the Government to induce the natives to adopt a system of self-government founded on a sure basis, in preference to the mere blind groveling after a form of their own, many of the most influential tribes held themselves aloof, preferring to support their own views of the matter. No means either were left untried to induce them to come to an amicable arrangement concerning the Waikato questions, the cause of contention that led to the Taranaki war, in 1860; and although the olive branch was held out to them in all sincerity during the first eighteen months after Sir George Grey's return, nothing could induce them (although Thompson and other chiefs of rank had formerly expressed a desire to do so) to accept the repeated offer to have the matter settled by arbitration.

In May, 1861, hostilities were, unfortunately, recommenced at Taranaki, the pretext being the occupation of Taranaki by the troops, and shortly afterwards the Waikato began to make preparations for an aggressive movement from Auckland, which led to an engagement in the Kerikeri ranges between the rebels and the British troops in July of the same year. This formed the commencement of the war in Waikato, which lasted off and on for about a twelvemonth.

During the period alluded to, a horrid fanaticism sprang up amongst the natives dwelling in the neighbourhood of Taranaki, which subsequently spread amongst nearly the whole of the tribes in the interior of the Island, supplanting the Christianism nominal or real, of a large part of the Maori race, and developing itself into one of the most disgusting and terrible superstitions ever exhibited.

The following account of its origin is abridged from a work on the war in New Zealand, written by the Hon. Mr. Fox, the present Premier of New Zealand:

"There is little doubt that this superstition was the work of some designing Maori, done for the sake of gaining notoriety, and for the purpose of forming a bond of combination in place of the King movement, then in insurrection amongst the southern natives in consequence of the tart affairs being taken in the Waikato.

"The account given of its origin by the natives are various and absurd. The first appearance of this revolting doctrine was after the defeat of Captain Lloyd, and a detachment of the 37th Regiment among the hills in the neighbourhood of Katikati, about ten miles south of New Plymouth. Owing to the advantages of the attack, the force, numbering 100 men, were completely routed, with a loss of seven killed and nine wounded. Captain Lloyd, who exhibited great gallantry, was among the killed. The rebels drank the blood of those who fell, and cut off their heads, burying for the time the heads and bodies in separate places. A few days afterwards, according to the native version, the Angel Gabriel appeared to those who had partaken of the blood, and by the medium of Captain Lloyd's spirit ordered his head to be extirpated, cursed in their own way, and taken throughout the length and breadth of New Zealand; that from thenceforth this head should be the medium of man's communication with Jehovah. Those injunctions were carefully obeyed, and immediately the head was taken up it appointed a native named Te Ua to be high priest, and two others, named Hepeana and Rangiora, to be assistants, and communicated to them the tenets of their religion, namely—The following shall be called 'Pai-Marire.' The Angel Gabriel, with his legions, will protect them from their enemies. The Virgin Maria will constantly be present with them. The religion of England, as taught by the bush teachers, is a lie. The Scriptures must be all burnt. All days are holy sacred, and no notice must be taken of the Christian sabbath. Men and women must live together promiscuously, so that their children may be as the sand of the sea shore for multitude. The priests have superhuman power, and can obtain for their followers complete victory by uttering vigorously the word Hau. The people who adopt this religion will shortly drive the whole European population out of New Zealand, and as soon as that was accomplished, even would be sent from heaven to teach the Maoris all the arts and sciences known by Europeans. The priests have the power to teach the Maoris the English language in one lesson, under certain stipulations. This was the first development of the Pak-Marire or Hau-hau fanaticism. Emisaries were sent into every part of the North Island, and the creed, which was framed on the convenient principle of embodying something from most other creeds, spread like wildfire, its votaries adding new articles to it from time to time to meet the growing favor of their discipline. The rise within the last ten years to the most formidable power which has for some years been gathering ground round a pole stuck in the ground, bowing and uttering gibberish, till cataclysm pursued the worshippers, who sometimes were led senseless on the ground for hours."

The natives of the Southern Island have never owned any desire to adopt this heretical doctrine, and, with the exception of a strange development of religious feeling among the Maoris at New Zealand, in the Province of Canterbury, which appeared in 1838, and extended in time to the native settlements in the northern portion of Otago, nothing noteworthy has occurred in connection with their religious condition during the various commotions happening in the North. Very little feeling either has been displayed in this part of the colony in regard to the
King movement, and although emissaries were despatched from the King party to make converts amongst the natives residing in the South, but little effect was produced by their advocacy of the cause.

In the session of 1858, the House of Representatives, apprehensive of the danger likely to ensue, the colony should it be found that the elective franchise had been conferred on the natives by the 7th and 42nd sections of the Constitution Act, 1852, passed a resolution that a case should be submitted for the opinion of the Law Officers of the Crown in England, as to whether the mere ownership of land occupied by the natives in common, as tribes or communities, and not held under title derived from the Crown, qualified them to become voters under the fore-cited sections. On the case being laid before the Attorney and Solicitor-General in England, an opinion was given by an advocate to the right of the Maori to exercise the rights of franchise under the title derived from land held in common under tribal tenure; but this opinion did not deter them from exercising the franchise under title derived from the Crown, provided they registered their votes in the manner prescribed. The natives, however, with few exceptions, have failed to avail themselves of the privileges conferred by the Constitution Act on both races, through want of appreciation of their importance.

Numerous propositions have been made from time to time concerning the propriety of appointing some of the most influential native chief members of the Legislative Council, but no action has ever been taken to give effect to them.

In order to remove the difficulty caused by the peculiar nature of the tenure of Maori land, which precluded the majority of the natives from having a voice in the Legislature of the colony, an Act was passed by the General Assembly, in 1857, to make temporary provision for the special representation of the natives in the House of Representatives and the Provincial Councils.

The colony is at present divided into four electoral districts, the Maori being subject to the same laws as the rest of the population, the colony is divided into four electoral districts, the Northern Island comprising three, and the Southern Island one. Each male aboriginal (including half-castes), of the age of twenty-one years and upwards, is entitled to vote. Two elections have taken place under its provisions: the first, in April, 1868; and the second, in February, 1871. Very little interest was displayed by the natives at the first election, but they are now becoming more alive to the importance of the franchises conferred by the Act.

In consequence of a doubt existing regarding the legal status of the Maori race, it was decided expedient that there should be a legal declaration on the subject, and an Act was passed in the session of 1855, entitled "The Native Rights Act," whereby it is declared and enacted, that "Every person of the Maori race within the colony of New Zealand, whether born before or since New Zealand became a dependency of Great Britain, shall be taken and deemed to be a natural-born subject of her Majesty, to all intents and purposes whatsoever."

In 1870, two measures were passed by the General Assembly on behalf of the natives: the first, is entitled "The Outlying Districts Sale of Spirits Act;" and the second, "The Native Land Fraud Protection Act." The object of the first-named Act is to provide regulations for the sale of spirits within native districts, as a means of preventing the importation of spiritsuous liquors within those districts against the wishes of the natives, and for this purpose to enable the Governor to proclaim from time to time districts in which it should be carried into effect, and to make provisions for the recovery of fines for the illegal sale of spirits; the same to be applied to local purposes within these districts, under regulations issued by the Governor in Council.

The 17th section of the Act repeals "The Sale of Spirits Ordinance, 1847," after the 31st December, 1870, excepting in any town, district, or province over which the Governor may, by Order in Council, suspend the operations of the section prior to the 31st December, 1870. By an Order in Council of January 29, 1868, the Governor in Council suspend the operation of the said section in the following districts, viz.: Auckland, Waikato, Papakura, Onehunga, Coromandel, Waitakere, Whangarei, New Plymouth, Napier, and Waipukurau, Whanganui, Otaki, Wairarapa, Wellington, and Westland. Gazette No. 72, of December 22, 1870, contains a proclamation defining the following districts to be under the operations of the Act, viz.: Taranaki, Bay of Islands, Kaipara, Hauraki, Taumarunui, Raglan, Maseta, Opotiki, Whanganui, Waiau, Tungo, and Upper Wainganui.

The object of "The Native Lands Fraud Prevention Act" is to prevent the mal-administration of lands vested in trustees for the natives, in cases where trusts had been created in the names of individual proprietors but really for the benefit of native communities; to take care that these trusts were fulfilled, and that the lands were not alienated so as to defeat the true objects of the trust.

The machinery employed under it to secure these ends, is as follows:—

- Districts are to be constituted, and a commissioner of lands is appointed to each district for the purpose of examining directly into all land transactions between Europeans and natives.

- He will have to satisfy himself that the transaction is fair and equitable; that it is in accordance with the trusts affecting the land; that no part of the consideration, either directly or indirectly, is payable in lieu of rents; and, lastly, that the parties understand the nature of the transaction.

- If he is satisfied that all these conditions have been fulfilled, he will grant a certificate to that effect; and no instrument without this certificate endorsed will be allowed to be registered by the Court of Equity.

- The Commissioner is required to visit each district for the purpose of ascertaining the manner in which the Commissioners shall discharge their duties.

Persons feeling themselves aggrieved by the decision of the Commissioner can appeal direct to the Supreme Court in a simple and inexpensive manner, and the Court has the power to confirm or annul the transaction as it seems fit. But, lest the Court may choose to be overburdened by this work, power is taken in the Act, with the approval of a judge of the Supreme Court, to appoint a barrister to exercise the function of the Commissioner, so as to enable the Governor in Council to regulate the manner in which the Commissioners shall discharge their duties.
The general scope and intent of the Act is to insure fair dealings in all land transactions between the Europeans and natives, and to arrest the evils that had grown out of the system of granting land to natives under the provisions of the "Native Lands Act." The operations of this Act, in individualizing the native titles, had been to create additional classes of Native Trustees, the objects of which had not been properly observed by the persons to whom they were entrusted; and in various parts of the country, where lands had passed from the native proprietors to individual persons of the native race, who were really intended to be only trustees but who, having under the Act acquired actual dominion over the land, had dealt with it to the detriment of those whom they represented, who were thus being stripped of their property and reduced to penury.

With a view of directing the energies of the natives into some useful channel, now that tranquility once more reigns; to prevent them being employed in mischief or fomenting discontent if left in idleness; the Government, in order to promote their welfare, as well as unite their labours with those of the colonists in developing the resources of the country, have offered prices to stimulate their industry in cultivating the best description of flax (Phormium tenax), as well as for preparing it for the market. The prizes offered are as follows:—For the best score of flax in each district, £10; and for the best ton of dressed flax, £10; the merits of the several exhibits to be decided by three persons to be appointed by the Governor, to consist of one European and two Maoris. In addition to these prizes, the Government offers a price of £50 for the best ton of dressed flax, the quality to be decided in the English market.

The strong feeling of emulation which the Maoris possess, it was hoped would induce them to compete eagerly for such prizes, and that the work thereby created would engage their minds and turn their energies to useful account.

It was confidently anticipated, in the early days of the colony, that the natives in the neighbourhood of the European settlements, more especially those who were located on the reserve set apart in accordance with the plan originally devised by the New Zealand Company with the view of amalgamating the two races by intermarriage of lands and proximity of dwellings, would naturally adopt the habits and customs of the settlers. These anticipations, however, have in a great measure not been realized, and the social organization of the two races remains as distinct as ever, even in the immediate vicinity of the towns; and when it is considered how impossible the boundaries of race have generally proved, it would seem that the fusion of the Maoris with the European is a moral and natural impossibility. The fact also cannot be disguised, that the race is gradually melting away; and even if no causes should arise to accelerate their decrease, such as have existed during the past twelve years, reference to the Statistics of Population, which according to the most accurate estimates historians make show a decrease amongst their numbers at the rate of twenty per cent. in every period of fourteen years, point to their extinction in an exceedingly brief period. This general decline is not merely confined to the New Zealanders, but is universal wherever the "phthisic race" is found, owing to their utter disregard of all those social and sanitary conditions which are essential to the continuing vitality of the human race. Such a state of decadence might induce the abandonment of the work of civilization, and favour the adoption of a merely temporary policy, to pacify and amuse until the race runs out and ceases to be. But to follow such a course towards them as this would be both cowardly and immoral, and entirely opposed to the views of the Government, who, although not blind to the indications of physical decay which the race exhibits, feel bound in honour and conscience to take all possible measures to preserve and civilize the native people.
THE TRADITIONAL HISTORY OF THE NATIVES OF THE SOUTH ISLAND UP TO THE TIME OF THEIR CONQUEST BY THE NORTHERN TRIBES UNDER TE RAUPARAHAWHAKAI.

The question as to whence came the ancestors of the New Zealanders originally, has not yet been satisfactorily settled, and very little can be gleaned from their early traditions worthy of credit, save that some of their progenitors arrived in canoes, from some other part of Polynesia, and that those arrivals were successive.

In their traditional legends the New Zealanders say that they came hither from a place called Hawaiki, but as the locality of the place cannot be determined, it is presumed that the term is used by the Maoris in a figurative sense. It is supposed, however, by some, allowing for a difference of pronunciation, that the Hawaiki of the Maoris is identical with the Sandwich Islands, or Hawaii, but it would seem almost incredible that people from those Islands could have come so long a distance in their frail canoes; moreover, the habits and customs of the New Zealanders are totally different from those of the Natives of that group. It has been argued, however, in favour of this hypothesis, that, when skillfully managed, the canoes of the Polynesians can brave very rough seas, and that the nearest spot from which the early immigrants could possibly have come, is over a thousand miles distant, it is reasonably presumed that a canoe able to make a voyage of that length, could, under favourable circumstances, have made a voyage three times as long. Others again have supposed that the Hawaiki of the New Zealanders is an Island of the Navigator group called Hawaiki, but, with the sole exception of this group being only half the distance from New Zealand that the Sandwich Islands are, there is nothing else to favour the supposition. The habits and customs of the people also are entirely different, and the language has much less affinity with that of New Zealand than the dialect spoken in some of the islands lying to the eastward, especially those of Hawaikongs.

Accounts vary as to the country being uninhabited on the arrival of the New Zealanders from Hawaiki; some of their traditions, however, point to their ancestors having found inhabitants on their arrival in the country, both at Waitara, on the west coast of the North Island, and at Rotomahana, in the interior. But if there were, which appears very probable, from the fact of a remnant, at present existing in the Chatham Islands, of a race which is allowed by the present New Zealanders to be truly aboriginal, they have been destroyed, or become incorporated with the present race.

The Maoris account for the arrival of their ancestors in various ways. The general tradition is that their progenitors arrived from Hawaiki, in about ten principal canoes, but of different structure to those we now see, and it is generally admitted by them that the chief, Kape, who came in the canoe Malabourea, was the first who took possession of New Zealand. This he did by moving all the rivers and mountains from Wanganui to Pouto. He afterwards circumnavigated the whole of the Northern Island, giving names to many places as he sailed along its shores. Turi is the Chief mentioned as having next arrived in the canoe Notoa. Further in point of time were the canoes, Te Arawa, and Tarutu; the former was commanded by Tama to Kepua and other Chiefs, and first touched land at Whangaparaoa, a headland near the East Cape; they then coasted along, touching at various places where the chiefs gave names to the principal backpacks, their object being to take possession of the land, which they did as far as Cape Colville, where Tama to Kepua died and was buried. His people then placed themselves under the guidance of Ngutatere, and returned to Matamoe. In the meantime, the Chiefs Huirua and Tora, in the canoe Matuata, had landed at Whakatane and therefore, part of the Arawa district was taken by them from Te Arawa to Whangaparaoa.

The third canoe commanded by Huirua, came along from Whangaparaoa to Cape Colville, and went up the Thames river, taking possession of the district from Cape Colville to Mangawhai on the east, and on the west from Manawatu to Whangaroa.
The next cause of the migration were the Nagatoki; these were named Manganui, Hikahaka, and Mahau. The former of these went into the Mekanga river, and the people in it took possession of the land as far south of that river as Mangounui, and to the north as far as Ahipara; the Hikahaka migration went into Whangaroa, and took possession of the land as far north as Mangounui, and as far south as the Bay of Islands. Mahau, the Ngatiwahena canoe, touched at the North Cape, and took possession of the land not taken by the former migrations, viz., from Mangounui along the Hoki Coast to the North Cape, and on the West Coast to Ahipara. This migration left a number of their party at the North Cape, and the remainder came on to Kaipara, and took possession of the land from Kaipara to Mangounui on the north, and on the south to Te Tauhiki. The chief Mawata, in the canoe Tokomara, took possession of the Tanawaki district. The rejuvenation of the Ngatiawa tribe, the most unwieldy of all the migrations, arrived in New Zealand in this canoe. Mawata and his followers, it is said, found the Waikato district occupied by a people of unknown origin. The Ngatiawa were entirely outmatched, and were easily overthrown by the new comers, and many of them killed, others escaped, and, subsequently, became incorporated with the tribe of their conquerors. It is alleged also that the Waikato tribe are not all of Tawaki origin, as some of them date their descent from the original people of New Zealand, who were called by the Maoris, Ngatiakorotora. The next migration came in the canoe named Kourakopa, commanded by Haiao. The crew landed near the East Cape, taking possession of the land from the point already taken by the Arawa round to Hoki Point; from this migration the Ngatiwhare tribe are said to have descended. The old inhabitants of the Middle Island say their ancestors came in a canoe called Taitaimo, commanded by Tata. This migration left Hawaiki, on account of a quarrel about a plantation. This is the only one of which it is said that when their provisions failed, they cast lots as to who should be sacrificed to the relentless cravings of hunger. The survivors landed at Tauranga, where part of the migration made further progress towards the crossroads, crossed Cook's Strait, and took possession of the Middle Island.

There are many other causes, with each of which are connected distinct migrations to New Zealand, but those named show that all the land in the North and Middle Islands was taken possession of immediately upon the arrival of the first canoes.

Each one of these migrational claims the honour of being the parent family from which the whole of the New Zealand tribes have descended, and it is, therefore, a matter of some difficulty, in consequence of the contradictory statements amongst the Natives themselves, as to their origin, to enquire into and to arrive at the real truth; and to prevent the various assertions from being necessary to gather information on the subject from every tribe, and of that to set forth which is recorded as the belief of the New Zealanders, as a collective people.

Time has blotted out from the minds of the Maoris the number of years which have elapsed since the arrival of their ancestors, but information on this subject has been received from an indirect source. It was the custom of the priests in the olden days to assemble the people of each tribe at a set time to listen to a recital of their genealogy. In the canoes round to Hoki Point; from this migration the Ngatiwhare tribe are said to have descended. The old inhabitants of the Middle Island say their ancestors came in a canoe called Taitaimo, commanded by Tata. This migration left Hawaiki, on account of a quarrel about a plantation. This is the only one of which it is said that when their provisions failed, they cast lots as to who should be sacrificed to the relentless cravings of hunger. The survivors landed at Tauranga, where part of the migration made further progress towards the crossroads, crossed Cook's Strait, and took possession of the Middle Island.

Time has blotted out from the minds of the Maoris the number of years which have elapsed since the arrival of their ancestors, but information on this subject has been received from an indirect source. It was the custom of the priests in the olden days to assemble the people of each tribe at a set time to listen to a recital of their genealogy. In the canoes round to Hoki Point; from this migration the Ngatiwhare tribe are said to have descended. The old inhabitants of the Middle Island say their ancestors came in a canoe called Taitaimo, commanded by Tata. This migration left Hawaiki, on account of a quarrel about a plantation. This is the only one of which it is said that when their provisions failed, they cast lots as to who should be sacrificed to the relentless cravings of hunger. The survivors landed at Tauranga, where part of the migration made further progress towards the crossroads, crossed Cook's Strait, and took possession of the Middle Island.

The absence, also, of all knowledge of the Maori Diorama, by the present race of New Zealanders, is also further evidence that the time of the early or first peopling of New Zealand is of higher antiquity than is generally supposed. It has been proved by the different circumstances by which it is surrounded, that there must have been a very numerous ancient population having once dwelt in places long since desolate and uninhabited. It has also been noticed in more than one or two places in the North, where skins and skeletons have been met with, that on enquiry it was found that none of the present generation knew anything of the people to whom these bones had belonged. This would seem either to indicate that the antiquity of the race in New Zealand, or else that these remains belonged to a distinct migration, as it was invariably the custom with the New Zealanders to street the remains of the dead with such care that they could exist, it being generally believed that the very numerous ancient population having once dwelt in places long since desolate and uninhabited. It has also been noticed in more than one or two places in the North, where skins and skeletons have been met with, that on enquiry it was found that none of the present generation knew anything of the people to whom these bones had belonged. This would seem either to indicate that the antiquity of the race in New Zealand, or else that these remains belonged to a distinct migration, as it was invariably the custom with the New Zealanders to street the remains of the dead with such care that they could exist, it being generally believed that the

The absence, also, of all knowledge of the Maori Diorama, by the present race of New Zealanders, is also further evidence that the time of the early or first peopling of New Zealand is of higher antiquity than is generally supposed. It has been proved by the different circumstances by which it is surrounded, that there must have been a very numerous ancient population having once dwelt in places long since desolate and uninhabited. It has also been noticed in more than one or two places in the North, where skins and skeletons have been met with, that on enquiry it was found that none of the present generation knew anything of the people to whom these bones had belonged. This would seem either to indicate that the antiquity of the race in New Zealand, or else that these remains belonged to a distinct migration, as it was invariably the custom with the New Zealanders to street the remains of the dead with such care that they could exist, it being generally believed that the very numerous ancient population having once dwelt in places long since desolate and uninhabited. It has also been noticed in more than one or two places in the North, where skins and skeletons have been met with, that on enquiry it was found that none of the present generation knew anything of the people to whom these bones had belonged. This would seem either to indicate that the antiquity of the race in New Zealand, or else that these remains belonged to a distinct migration, as it was invariably the custom with the New Zealanders to street the remains of the dead with such care that they could exist, it being generally believed that the very numerous ancient population having once dwelt in places long
ancestors and their claims, he was, nevertheless, carefully taught by his father or grandfather the history of his progenitors; and was frequently taken to the boundaries of his hereditary claims, so that, with a memory singularly retentive, he could not only recount the traditions of his ancestors for ten or twelve generations, but each of such branches of every family or offshoot. It was a custom also to go at certain times to the utmost limit of the land claimed, and partially clear and cultivate a portion here and there; this was called "uru upea whanus," the duty devolved on the chief, a certain number only of whom were allowed, so that when the land was first occupied for the purpose of settling, that portion of the tribe which claimed the obisten who had been last engaged in the ceremony of "uru upea whanus," claimed the particular land where it had taken place. The custom only applied to the land originally settled by the first migration, not to lands which had been acquired by conquest, gift, or utu, for causes or other injuries.

A somewhat similar custom as that followed by the Maoris, known as "beating the bounds," prevails in some parts of England, for maintaining the boundaries of the parishes. The clergyman of the parish, together with the churchwardens, walk round the boundaries on Ascension Thursday. In this prelatura they are accompanied by the boys of the parish school, and their master, the boys carrying willow wands with which they strike the various boundary marks. From this practice arises the term "beating the bounds." It was the custom also in earlier times to whip a boy or boys at stated places on the boundary line, in order that the remembrance of the place might not pass away when he grew up.

As but little is known of the aboriginal tribes of the Middle Island, and as it is generally supposed that the Ngatiwha tribe now inhabiting the Southern Provinces, and the remainder of the Rangitane tribe, residing in the Pelorus, were probably the sole inhabitants prior to the country being conquered by Te Rauparaha and his followers, it is proposed to devote this chapter to a sketch of the early history of the Aborigines, so far as it has been possible to acquire information respecting it. It is no easy matter to acquire knowledge of this kind, as all the Natives do not know how to "Wakasapapau, "literally "to walk accurately in the tracks," and it required generally the personal efforts of a quarrel about some boundary line, or the prospect of selling land, or a dispute about what had been sold wrongfully by other Natives to induce those who possessed the best information to enter on the subject. There also exists a difficulty in dealing with the ancestors of any but their own immediate families, unless in their presence; for should an error be committed by giving a false pedigree for another family, it would be a cause of quarrel, which is not to be wondered at, when it is remembered how intimately, their land and family history.

The son of Tanuta, of the Ngatiwha tribe, attended his father or grandfather; in all his fishing, hunting, or spearing excursions, and it was in these that he learnt by ocular demonstration the exact boundaries of his lands, and the thousand names within the limits of his hereditary claim were his daily lesson from childhood. It may, therefore, be safely asserted, that there is not a hill, or valley, stream, river, or forest which has not a name, the index of some point of Maori history.

The difficulty of obtaining from any Natoee of New Zealand information about the ancestors of other than his own family, forms indirectly a strong proof of the credibility of what has been recounted. For the history of a tribe is able to give of the early wanderings of their ancestors, and of their wars with other tribes, subsequent to their first settlement in New Zealand, is generally fairly within the limits of probability, and may be considered to rest on authority equally worthy of credit as much of the early histories of European nations.

According to Native traditions, the crew of the canoe Takitimu, or as it was sometimes called for its last sailing Hocartia, were the first to people the Middle Island; there appears to be no record, however, of what became of these people; and the history of those people who were the earliest inhabitants of a tribe are able to give of the early wanderings of their ancestors, and of their wars with other tribes, subsequent to their first settlement in New Zealand, is generally fairly within the limits of probability, and may be considered to rest on authority equally worthy of credit as much of the early histories of European nations.

Ngaiahu
far as Kaipoi in the Canterbury Province. They are reputed to have been very numerous; even on the mountains heaps of skulls left by them show the extent of their occupation. Next came Waitaha, who claim their descent from a chief of that name, whose ancestors arrived in To Arawa canoe from Hawaiki, under the command of Tama to Kapua.

The Chief Waitaha is said to have taken up his abode in the interior of the North Island, on a hill overlooking the Taupo Lake. In course of time his descendants were driven out by more powerful neighbors, or desirous of seeking a new home nearer the coast, moved southwards, and about two hundred years after the arrival of their ancestors from Hawaiki, they crossed Cook's Strait, and settled in the Middle Island. This tribe dwelt peaceably with and quarrelled alternately, mixed and intermarried with To Aitanga o Te Tongariro. These people, however, did not continue long in undisturbed possession of the hills and plains of To Wahi Poamana, another tribe arrived after a time to dispute their right to the rich hunting grounds of the central portion of the island. The Waikato have traversed the Waitaha and the Ngati-ama amongst some of the superb-abundant spots that was their good fortune to have accumulated. As their friends attacked their lips over these dainties furnished from the Southern Island, they resolved to wrest the coveted preserves from the Waitaha. Unused to war, the old inhabitants were easily subdued; and their possessions taken from them by the invaders; but after a while, peaceful relations were restored between the tribes, and intermarriages took place. These tribes combined are supposed to constitute the Peke. The Ngati-ama are said to have sprung from a Chief named Turi, who came in the canoe named Aotea.

In course of time, another distant tribe, named Ngaiterata, crossed the Straits, and settled near the Waitaha, in the neighborhood of Queen Charlotte Sound, with whom they intermarried, and lived on terms of friendship for some years. To the eastward of them, the country about the Wairau, was peopled by a tribe called To Hunkati, whose ancestors also came from the North Island. To Ao Matire, a chief of the Ngaiterata, was buried in a caused grave near Waitaha, where his bones rested in peace till the whare Ngaiterata, a branch of the Ngaiterata tribe, headed by Pahpahia, arrived from the north, and occupied the country in and about Wairau. Anxious to provoke a quarrel with the Waitaha, they sent some of their young men to decorate Ao Matire's tomb, and bring down his leg and arm bones, which they converted into fish hooks. A chief's bones were supposed to possess the virtue of attracting fish. Fishing occasion when some Ngaiterata visitors were present to make use of some rivalling people concerning the warlike qualities of their countrymen, the Waikato felt by the visit of these visitors suggested that the allusion was intended point to their deceased chief; and on visiting the cavern in which Ao Matire was buried, they found, to their horror, that his remains had been disturbed and partly removed. Dissembling their rage for many months, they made a sudden and unexpected attack on the Ngaiterata, and killed Pahpahia, their leader. Fearing they might be overwhelmed by superior numbers, the Ngaiterata abandoned their pa in the Wairau, and fled to To Pakatea (White's Bay), from where they made menacing attacks on the Waitaha; they were repulsed on the East Coast, and attacked Ngatiamae at Waiapapa, with whom they fought continually until they took Kaukaua.

About this time a powerful reinforcement was brought over from Taranaki, by a chief named Turakauaiti, whose father and grandfather, in making a similar attempt before, had been drowned, with their crew, by the uprooting of their canoes off Makauka (Cook's Strait). Turakauaiti, with his younger brother Moke, landed his forces at Taupoua, Queen Charlotte Sound, and led his way through Ngaiterata and To Hunkati before he could join the Ngaiterati at Kaukaua.

The Ngaiterata, after this, spread rapidly southward. In those days the Canterbury plains were covered with forests, through which the rivers made their way to the sea; but these forests have since been destroyed, owing to the clearings made in them by the Maoris having been fixed by the latter from time to time for cultivation. Within the memory of Natives still living, a forest extended from the River Wesley, Hakahuri, to the hills on Bank's Peninsula, with only a few intervening spaces of open country; and all vegetation, notably never attacked the plains to the south and west of Christchurch, marking the sites of ancient forests.

Tutuwatama, a Waitaha chief, ruled over a numerous and powerful tribe on the banks of the Haukai river. The Ngaiterata were already peaching on his fishing and game preserves, and acting in a manner likely to provoke a war. But what brought matters to a climax, was the murder of a near relative of Tutuwatama's, by Moke, a chief of the Ngaiterata. This chief had fixed his pa on the banks of the Waiwai river, his choice or the place where he had been determined by the existence of his wife's relatives. Here, the highroad to the East coast was a good deal frequented, passed close to his hold, where supported by a few despots, men, he reigned and ruled all who passed by in small parties. He found this a very profitable occupation, as large quantities of mutton birds, dried fish, prepared ti, palm, and other Native products were carried north, and supplies of clothes (Native maia) and other things brought back in return.

Tutuwatama, exasperated, by all endurance, by the murder of his relation, at last broke out in a warlike spirit against the Ngaiterata. At Naugiani, to the westward of Kaipoi, there were two large pa's belonging to the Ngaiterata; one called Maitangi, and the other Kapuoko Atiki, containing
together about 2000 inhabitants. These were taken and destroyed. Leaving the bulk of his force there, Tutenawainate pushed on with a few men to Moko's stronghold. He found the place quite unprepared; the men were all away except Moko, who was asleep in his cave. Tutenawainate advanced to the mouth of it and saw his enemy asleep before the fire, but, in the true spirit of chirality, he seemed to strike his sleeping foe, and raising his voice, he wakened the whole household. 'Abouna, I have blown the wind from the Bekias gorge. I have forestalled the drying of the morning dawn!' The startled robber raised himself to a sitting posture, and replied, "Ho! Moko! Moko son of Hastero. The rushing wind on the mountain side. The man raised on uncocked shark." As he uttered the last word, the treacherous Moko struck his generous fo a sudden and unexpected blow that felled him to the earth, where he soon sat an end to his life.

The allusion to the uncocked shark, means that like that fish he would prove hard to catch and when caught hard to kill. To die a shark is a proverbial expression among the Maoris.

After the death of Tutenawainate, the tribes kept up a perpetual warfare for many years, but a small remnant remained, and these eventually became absorbed by the Ngaitsmanamo, who then existed in large numbers in that part of the Island. During the period while these tribes were engaged in this intertribal war, another migration of Maoris took place from the North Island. The ancestors of the Maoris now residing between Cape Campbell and Stewart's Island, crossed the Strait about 300 years ago, and took up their abode in the first place on the East Coast to the south of Cape Campbell. This tribe is said to be descended from a powerful tribe, called Ngaitsmanamounu, who extended in those days from Turanga-nui-a-rua (Poverty Bay), all along the north shores of Cook's Strait, including Waarumpa and Porirua, and are probably the descendants of the crew of the canoe Karuaongo, commanded by Hastero, who arrived with the first missionaries, after the settlement of the country from the point already taken by the Arawa, round to Port Nicholson.

The branch of the Ngaitsmanamounu who located themselves in the Middle Island, were styled Ngiatibu, from their ancestor Tabu. The desire to possess themselves of the greensands (potamoa), which was only to be found in the Middle Island, is supposed to have been the chief inducement which urged large bodies of this tribe at different times to invade the country of the Ngaitsmanamo, who had been became celebrated as possessing this treasure. The Ngaitsmanamo, instead of resisting the invasion, endeavored by every means to aver st the war. They relinquished a large portion of the country to the Ngiatibu, and supplied them for a time with food. For several years these tribes, cemented by the intermarriages of their members, lived peaceably together, but at length the Ngiatibu becoming dissatisfied with the locality occupied by them, removed to the Wairau, leaving behind two of their chiefs who had married Ngaitsmanamo women. The two cousins dealt in different places; Apoka with his wife and a few slaves; Tutenawai in a path with 300 Ngaitsmanamo, who had chosen him for their leader.

Apoka's ground was too poor to cultivate, and game rarely frequented the woods in his neighborhood. He was consequently compelled to subsist chiefly on fern root. He, however, bore all this cheerfully, till his suspicions were aroused that his wife partook of better fare than they chose to set before him; and he observed that, although they paid frequent visits to their relatives, who resided at a place celebrated for the variety of its supplies, they seemed to have an easy access to the sumptuousness of his diet. He was convinced that these visits were made to replenish secret stores, kept from him by his wife at the suggestions of their people, who, perhaps, thought that if he once tasted the good things of Waipapa, he might advise his tribe to take possession of it by force. His wife indignantly denied that they ate anything better than the food given to their lord. Convinced, however, that they desired him, and breeding over his wrong, he resolved to seek his cousin's advice. He accordingly proceeded to the settlement where his cousin resided, and found him in the midst of a large kumara plantation, urging on the labors of a large number of men. Tutenawai asked whether he should cause the men to desist from their work, and adjourn to the path to listen to whatever he had to say. "No," replied Apoka, "my business is with you alone." The two cousins then proceeded to the path, where they performed certain rites, and then retired to the verandah of the chief's house, where one of his wives had arranged some food for the refreshment of the guests. Two cups of the finest kawa of the food, and then fell him his business, before the people returned from the field to prepare a feast to his honor. Apoka bent his head a long time in silence, and then said, "I am stupefied, I am amazed at the variety of food;" then pointing to each basket before him, he inquired their contents. He then resumed his silence, and fixing his eyes on the ground, remained in that position for some hours. He was aroused from his reverie by the arrival of the tribe, bringing the feast they had prepared, with which he inquired how his cousin passed his journey to cook. "I am overcome, I am astounded, I cannot eat." "But how is it?" inquired his cousin, quite puzzled at his strange conduct, "that you, who have married Ngaitsmanamo women, should express such astonishment at the every-day fare of that people, surely you enjoy the same advantages as myself by your connection with them?" In reply, Apoka told him his suspicions respecting his wife. Tutenawai advised him to refer the matter to the elders of the tribe at Waipapa, whom it only needed to take his quarrel, that they might dispose of the Ngaitsmanamo. Apoka, satisfied with the advice, rose and returned, fasting, to his home, where his wife brought
him the usual meal, of which he partook, and then retired to rest. To bell any suspicion that might arise respecting the object of his visit to Waiaha, he set off for Wapapa early the next morning, accompanied by a slave bearing his fishing tackle. The canoes were already launched when he arrived, and all the men were about starting on a fishing expedition; so seeing him, however, the chief gave immediate orders that the canoes should be drawn up, and that everyone should return to the pa, cut off from four to five miles from Waiaha, and order the canoes to be manned, and they all started for the fishing ground. Only two fish were caught, and those by Apoka. The whole party were much annoyed at their want of success, and looked upon it as an ill omen. On landing, Apoka's friends begged him to remain and partake of their hospitality; but he refused to stay, and returned with the fish, which he hung up as an offering to his Atua. He then ordered his wives to prepare a quantity of food enough to last three days, as his arrangements were to take one of the fish, and, having fastened it to a pole, to cast it out three times to the right and to the left, and then throw it three times to the right and left, to the shoulders to Waiaha. His tribe's no sooner saw him than they interpreted the symbol to be a token of a disturbed mind, and immediately guessed his earnest. They gave him a hearty welcome, and crowded eagerly round him to hear the story of his wrongs. As he detailed the various circumstances their indignation rose higher and higher, and when he proposed to lead them against the Ngatiama, young and old shouted with delight.

It was agreed that the close relationship existing between himself and his wife should prevent him from going, and that he should be ejected out of the blood of their tribe. Fearing to go near Tuteureutia, lest the Ngatiama should warn of his danger, the war party took a very circuitous route, and came upon the doomed pa at dawn. Apoka knowing it was the custom of the inhabitants to go early every day to fish, placed his men in ambush round the pa, directing Urikoro, a warrior famed for his bravery, to lie in wait under the principal chief's canoe. His arrangements were accordingly complied with, the chief aloof to appear he was a very tall man and grave, so that they could not but be in awe. He then leaped upon the bow of his canoe to push it as usual into the water. Urikoro rose and fell him to the ground with a club. The cry that was killed struck terror into the hearts of the Ngatiama, and ere they could recover themselves, the place was stormed and taken; a few only escaped, the rest were either eaten or reduced to slavery.

Apoka, whose hatred seemed implacable, resolved to destroy that portion of the Ngatiama, over whom Tuteureutia ruled. He, accordingly, sent Urikoro, clothed in the spirit of Tuteureutia, to inform Tuteureutia of his danger. As Urikoro approached the pa, the entire party of Ngatiama took a sudden flight, leaving their canoes and their lamentations. Deserted by Tuteureutia, who returned with Urikoro to the camp of his victorious countrymen, and railing an attack, the Ngatiama abandoned their settlement, and fell some distance down the coast towards the Kaikouras, where they remained a long time undisturbed.

After selecting a strong position on which they erected a fortified pa, and being joined by other portions of the tribe, they were emboldened to attack a party of the Ngaiatahu when out fishing. They succeeded in capturing all the canoes but one, that of Kawa of the Ngaiatahu tribe, and compelled the Ngaiatahu to come to terms and boundaries between the Ngaiatahu and Ngatiama. A battle ensued, in which the latter were defeated, and retired within their fortifications. The Ngaiatahu then laid siege to the place for six months, and tried in vain to effect an entrance. A council of Chiefs was held, at which one young man proposed to draw the enemy out by stratagem. The plan was approved of, and he proceeded to carry it out the following morning. Paddling on two feathers mats, and armed with a mace, or club, he went down before dawn to the beach, and entering the surf, threw himself down, and allowed the waves to carry him backward and forward, occasionally raising his arm that it might appear like a fin. The seamen took notice of the dark object in the water, which they concluded must be either a seal or a young whale. The cry of "Mai ika moana! Mai ika moana!" (a stranded fish! a stranded fish!) brought the whole pa to their doors, and a general rush followed to secure the treasure. The canoe of a Chief was amongst those that were directed to open the gate; the foremost man plunged into the surf, but was discovered his error, the supposed fish rose and struck him dead. An alarm was immediately given, the crowd fell back within the pa, and the scheme failed. Weakened and wearied by this peremptory stroke, the two tribes laid down their arms and made peace. It was not, however, a peace of long duration. Manawa, a Chief of the Ngaiatahu, demanded Aherunui, daughter of Tuhia, Chief of the Ngatiama, as a wife for his son. The manner in which the proposal was made gave offence to the tribe, and they refused their consent. In spite of the failure of his first attempts, Manawa, the following year, renewed his proposal. Accompanied by a hundred of his followers, he sought the Ngatiama pa at Kaikouras. Messengers were sent forward to announce his approach, and the cause of his visit. On his arrival he was greeted in the usual manner, and his party, as they entered the stronghold, were shown into a large house set apart for their reception. Manawa was the last to enter; the moment he bent his head and stepped inside the door, the door was shut behind him, and he found himself with a large axe. Manawa staggered forward, but before he reached his companions, he received a more violent blow on the head. Immediately he got into the house, the door was closed, and the old chief after wiping the blood from his face, addressed the men. He told them
that their case was hopeless, caught in a trap, and surrounded by foes, they must prepare to die; all he desired was that an attempt should be made to convey to the Nga Tahim's tidings of their cruel fate. Many volunteered for the dangerous service, one was chosen from the number. Manawa, after soothing his forehead with blood, charged him to be brave, and committing him to the care of his aunts (demens), sent him forth. Hundreds of spears were aimed at the messenger, who fell transfixed; ere he advanced a pace. Again and again was the attempt made, the messenger bandaged, and Manawa failed to obtain a response to his call for more volunteers. At last, a youth, near him related to him, offered to make the attempt. The moment was propitious—the enemy, certain of success, guarded the door with less vigilance. Smeared with the blood of the dying chief, and charged with his last message to his family and tribe, the youth sprang out, waving off the spears hurled at him; and even his blood-spattered garments amongst the houses and enclosures, he reached the outer fence, over which he climbed in the night, and turned to rush downward but the other members of the party were not visible with spears. His enemies were pressing upon him, one chance for life remained; the path stood upon a cliff, and by leaping down upon the beach he might escape. He made the attempt, and a shout of triumph rose from his foes when they saw his body extended on the sand, but their rage knew no bounds when he sprang up, and in a loud voice defied them to track the swift feet of the son of Takau.

The Nga Tahim's then proceeded to kill and eat the victims of their treachery. In the chamber of the sole survivor of Manawa's party arrived at Waiapapa with the startling intelligence that they had fallen. The Nga Tahim's were unprepared for the unexpected blow. They resolved, however, to let a year pass ere they avenged the death of their chief, fearing if they should attack the Nga Tahim's, at a place where their dead were, they might escape, and victory, after all, fail to their treacherous foes. They waited, therefore, till the grass had grown over the oven in which Manawa was cooked, and had hidden all traces of his sad fate. The war party was then proceeded to, with theArticle was not completed. The last line reads: "...he was killed, and another, named Bangisima, was taken prisoner.

After this the Nga Tahim's advanced on Kaiapiti, where Tukau had fled after murdering Manawa at Kaikoura; there they killed and drove out the Nga Tahim's, and took
possession of the country, killing or keeping as slaves all that fell into their hands. The Ngaikiaamo, weakened and dispersed, retreated south beyond Taumata.

After this the conquered lands were divided amongst the Ngaikia. To Bashibikiti, a son of Manawa, who had gone back to the parent tribe, in the North Island, to raise fresh forces among his relations, to avenge the death of his father, returned about this time, and settled at Taumata. This being the most southern point of the newly acquired territory, and the place where it would be more likely to encounter Ngati-Porou who were "out" or satisfaction be desired. Fighting parties were sent against the Ngati-Porou from time to time, but, for many years, no advantage was gained by either side.

About this time a division of the Ngati-Porou proceeded to Arahura, on the West Coast, for the purpose of getting possession of the pounamu (greenstone). Although, it has been alleged that it was probably the fame of the pounamu that induced the Ngati-Porou tribe to invade the Middle Island, it would seem doubtful, however, whether the tribes of the North Island held the possession of the stone, until many years had passed and it was in the possession of the Ngaikia. and the following account is narrated by some of the Natives of the present generation as the cause that led to its being more generally known.

In those days the West Coast of the Middle Island was inhabited by a tribe called Ngati-waranga. A few of this tribe being on a visit to the Ngaikia, at Kapaio, a woman amongst the party called Nukuru, observing the Ngaikia making arrows out of a hard black stone, commenced to laugh and make fun of them, saying, her people made melo of a better kind, and of a more durable material than they did, as the same exhibiting a small edge of greenstone. The Ngati-Porou were much struck with the beauty of this stone, which was made of the kind of greenstone called inanga, and eagerly inquired where it was procured. On being told the locality, it was agreed that three of the Ngati-Porou should accompany the Ngati-waranga back to the West Coast, and see this new much coveted stone. On their return they stated that the greenstone was found at Arahura, and that it existed in large quantities there, and that the capability of the Ngati-Porou being eluded with the intelligence, a large body of them travelled across the Island to the West Coast, where they speedily overcame the Ngati-waranga, most of whom were killed, with the exception of a few women and children, who were spared by and embodied into the Ngati-Porou tribe.

After these events a portion of the Ngati-Porou, designated the Pontini Ngati-Porou, to distinguish them from the East Coast branch settled on the West Coast, where their descendants have ever since resided.

The Ngati-Porou were driven from the possession of the West Coast, before they were attacked by the Ngati-tumatawhoki, but, as the attacking party were not large, no advantage was gained by them, and they withdrew to Motuan (Native name of the northern portion of the Middle Island). The Ngati-Porou and Ngati-tumatawhoki seem to have had occasional fights about the right of catching the weka, kiwio, and kapo, in the Upper Grey and Buller districts, but nothing of any moment took place between them during the first century of the occupation of the Middle Island by the Ngati-Porou.

Shortly after the removal of some of the Ngati-Porou from Kapaio to the West Coast, another section of their tribe arrived from Waitaranga, and located themselves at Otakou (Otago), and war was again resumed with the Ngati-Porou, with increased vigour. For some time it was doubtful which would be the conquering party, owing to some of the Ngati-Porou refusing to join with their friends in the war. The Ngati-Porou at last begged for peace, which was granted them. One of the principal chiefs named Tarawhi had been invited by his followers to visit the Ngati-Porou, on a path south of Taranaki, were treated as a spy among them, by the Ngati-Porou. the Ngaikia, the Chief who was made prisoner, after a desperate struggle. As Tarawhi had been a great scourge to them, they were determined to cut him to pieces alive, he was accordingly laid on his back on the ground, and a native commenced to cut him down the breast and stomach with a sharp stone. The attention of the four Natives who were holding Tarawhi being directed at the moment to the arrival of some visitors at the path, he, noticing their inattention, sprung to his feet, and succeeded in making his escape into the bush. Being much distressed at the loss of his path persons (Walhahum club), he determined to attempt its recovery, he accordingly took advantage of the shades of the evening to approach the camp of the Ngati-Porou. On arriving near the place, he noticed a large number of Natives seated round a fire, and on drawing near, saw them examining the weapon, and talking of the bravery of its owner. Noticing the absence of one Ngaikia who had a defect in his speech, he walked up to the outer circle, and sitting himself on the ground, asked (feigning the voice of the men of defective

Note—According to Native tradition, a Chief named Ngaikia was the first to discover the pounamu. This Chief it is said was driven from Hawaiki, through the jealousy of a woman named Ngaikia-te-te, and taking with him his oldest son, Te Ngaikia, he proceeded to the Middle Island. During the residence there, he found a block of the greenstone so much prized by the Moriori, which he took back with him to Hawaiki. To Ngaikia never returned to New Zealand. But his people hearing of the same through, and being desirous of emigrating, on account of a quarrel with a neighboring tribe, selected for that piece, and it is said that it was cut out of the pounamu taken next to Hawaiki by Te Ngaikia, that the axes were made which were used in embarquing the canoe, To Arawa, and Taiao, in which these people came to New Zealand. It is supposed also by the Moriori that a small pile of the same stone was brought to Hawaiki by Te Ngaikia, and that the Moriori, from whom it has descended as a heirloom through several generations. This document was called Kaiaumata, and was presented to his George Grey in 1859, on the occasion of his departure for England, by Te Kaiaumata, the principal Chief of that tribe, as an assurance of their regard and respect.
speech) to be allowed to look at this celebrated place. It was handed to him by the unsuspecting Ngatiama, whom jumping suddenly up, he struck the two nearest him over the head, crying the brave Tawhui has recovered his weapon, which astonished his enemies, that it was some time before any pursuit was made, and he succeeded in again reaching the cover of the woods in safety. The following morning a large party of the Ngatiama, under the chief Tawhui, a bold and active warrior, who would attempt to reach, he had, however, perceived their design, and instead of proceeding direct to the pa, by the inland route, he walked along the beach, when, on coming to a point within half-a-mile of it, he made signs with his club to his friends to make a sortie from the pa on the Ngatiama, which was done successfully, and under cover of it he joined his own tribe.

The pursuit of bird hunting and eel fishing at the sources of the Marua, Claroaco, and Wai-atemari, led to frequent skirmishes between the East and West Coast, Ngatiama, and the Ngatiutamaotokari.

The Ngatiutamaotokari having about this time, unfortunately, killed a Ngatiama Chief named Pakoko, at Marua, it was determined by both the Ngatiutamaotokari and Pouiti Ngatiama to take revenge. Two fighting parties started unknown to one another, almost simultaneously, one from Kaisapo and one from Arahura, the former, headed by Te Waraha, an influential Chief, traveled by the Karagmi to Lake Surve; then by the North head of the Waian and, on the east side of Kai Tangata to Marua, following this river until its junction with the Kawakiru or Baller, they proceeded, after crossing the Buller, in a northerly direction by the valley of the Matiri, a tributary of the Baller, to the source of the River Karama, down which they proceeded to the Coast, where they remained some days eel fishing. The party of Pouiti Natiama, headed by their principal chief, Tutara (father of the late Chief Tarupuhi of Kaukiri, of Marua), traveled by the coast, and reached Karama at the time that Warakino, and his people were engaged in eel fishing; seeing tracks of magic bird sand at Karama, they supposed that it was some of the Ngatiutamaotokari, whom they in quest. Tutara and another Natiama cautiously approached the Ngatiutamaotokari encampment. Tutara's companion being in advance, came suddenly on Te Waraka (who was engaged baling an eel basket), and, taking one another for enemies, a scalpel ensued, when the Pouiti Natiama was thrown down, and would have been killed by Te Warkino but for the timely arrival of Tutara at the time of the occurrence; he at once, without ceremony, made a stroke at Te Warakino with his epee, and ran him through the arm, at the same time giving him a push forward on his face; before he could rise he seized by the hair of the head by Tutara, who intended giving him a finishing stroke with his club, when he suddenly recognized him as Te Warakino, and a cousin of his own. The Ngatiutamaotokari, attracted by the quarrel, had, by this time, assembled round them, and Warakino was explained and they at once joined hands and proceeded to Wai-Waumal, led by Tutara. There they attacked the Ngatiutamaotokari, and killed large numbers, but, after a time, retired to Arahura, from whence Warakino and his people returned to Kaisapo.

The Ngatiutamaotokari were shortly afterwards again attacked by the Ngatiama, and driven to the West Coast; and the last of them, consisting of Ta Pau and Ta Kohiri, two of the principal Chiefs, and a few followers, were killed by Tutara and his people, on the beach near the mouth of the Wai-Waumal; the rest of the Ngatiamaotokari had now entire possession of the country formerly occupied by the Ngatiutamaotokari; but events...
were taking place in the North Island amongst the tribes there, which, eventually, led to their being dispossessed of their newly acquired territory.

The acquisition of firearms by Hongi, a Chief of the Ngapuhi tribe, while on a visit to England, in 1830, led to serious results. On his return to the North Island, in 1832, he armed his own tribe and its allies with the weapons which he had received in England. His superior weapons gave him an immense advantage over the tribes which he attacked in all directions, from the east of his own tribe, the Ngatiwha, to the west of the island. Besides a displacement of the settled and the pastoral, which had inhabited the western coast of the North Island, between Kaipara and Whangaroa, who were swept off by thousands to satisfy his insatiable thirst for power. These tribes, driven from their homes and properties, attacked the weaker tribes and hard-pressed which they had acquired in resisting Hongi.

Early in 1833, Te Rauparaha, the principal Chief of the Ngatiwa tribe, who, not surprisingly, availed himself of the new situation to extend the influence of his tribe, by marching his forces to the coast of the North Island, to the northward, and overran the whole coast line of the Northern Island, from Kawhia to Whangaroa, destroying and taking captives, or driving them across the bay. The Ngatiwa and Ngatihauwa tribes, thus enabled to take possession of the country, being Port Nicholson, then in the occupation of a tribe called the Ngatiwha, these tribes drove out as far as the East Cape, from where they made frequent incursions on their conquerors.

The Ngatiwha, afterwards, in fear of Te Rauparaha, whose treacherous conduct at that time was creating distrust in the minds of all the tribes in the neighbourhood, migrated, in 1838, to the Chatham Islands, in the brig "Rodney," where they then overpowered the remaining population, reducing the remnant of slavery.

The Ngatiwa, being without supplies or ammunition, marooned the whalers of Cook's Strait, which crossed over to the Chatham Islands, and where they were marooned, and were occupied by the Ngatiwa, the Ngatiwha, under their Leaders, Te Rauparaha, Te Kaha, Te Kohatu, and Te Puhoi.

The first landing of this formidable force was at Mangate (D'Urville's Island), and Queen Charlotte Sound. They speedily subdued the Mangate, Taipa tribe, which occupied the Pelorus, Wairau, and Akaroa districts, only a small remnant being saved from death, who never regained their liberty, and are now represented by the Ngatiwha of the Pelorus.

The invading force, after this, was divided. Te Rauparaha, with the body of the Ngatiwha and Ngatiwha, proceeded, by way of the East Coast to Kaikoura, to revenge himself upon the Ngatiwha, residing there, for a visit he made by their Chief, Te Rauparaha, to Kaikoura, to a ship's company of the crew of the "Blenheim," one of the substitutes for a knife, should he ever have to set foot upon his territory. This threat was repeated to Rauparaha by a runaway slave; the crafty Chief was glad of the excuse it afforded him for attacking the southern islands, rich in greenstone, which was at that time highly prized amongst the Natives, and he promised himself an easy victory, as the Natives in the south were then possessed of firearms and ammunition, or only to a limited extent.

Many years had been suffered to pass without any attempt being made to avenge the insult, as Rauparaha was engaged in wars with tribes in the other Island, besides deciding to throw Burewahe out his guard by delay, but the time had now arrived for action. Rauparaha, accordingly, set sail from Taipai, with his followers, about 200 in number, for Kaikoura, arriving there about dawn on the third day, and anchored about a mile from the shore to reconnoitre the place. The inhabitants mistook the canoes for those belonging to a friendly Chief whom they were expecting, and drawing to the beach, welcomed their supposed friends to the shore. Before they could discover their mistake, the well-armed warriors of the renowned Rauparaha were amongst them, dealing death at every blow. Hundreds were killed on the spot, and hundreds were led away prisoners to the Kaipai, to be killed, or kept as slaves, depending on the caprice of their conquerors. Rauparaha having satisfied his thirst for revenge, returned northward with his force, and rejoined the party of his followers he had left behind at Rauparaha.

In the meantime, the subdivision of the Ngatiwha, under Noho and Takara, had proceeded to the Ngatiwai, belonging to the Ruapehu and Muriwai hapu, led by Te Kohatu, and the Ngatiwha, under their Chief, Te Puhoi, had not been idle. These proceeded to Maua, and killed and made prisoners the Ngatiwha, the tribe who had conquered the country from the Ngatiwha. Leaving Te Puhoi and Te Kohatu in charge of the country, Noho and Takara, with their followers, proceeded down the West Coast as far as the River Hikitik, conquering all the country before them. Amongst the prisoners taken was Takaru, the Chief of the Pontini Ngatiwha, who, on perceiving his own men, turned in command of the Ngatiwha, to the greenstone club (Mere porawana) called Kai Rakuri, which is now in possession of the descendants of Matanga in Auckm. After this, Takaru and some of his people, as an act
of submission, went to visit Te Haupara and the Ngatikas, at Haupito; and Takarai and Niho, with some of the Ngatikas, settled at Mawhara (Greambown), on the West Coast.

Yeso, however, was not of long duration. Haupara soon found another pretext for attacking the Southern Natives. A Chief of the Ngatihahunu tribe, named Kekerauanga, having given offence to Haupiataua, fled across the Street, in fear of his displeasure, and took refuge with the Ngatikas, who, had, by that time, re-established themselves in the neighborhood of Kaikoura. Haupara, with a large force of Ngatikas and Ngatitokes, arrived at the house of Chief, crossed over in present. On reaching the other side of the Street, the war party, finding that Kekerauanga, with a few of his tribe had gone down the East Coast, towards Kaikoura, proceeded in that direction, and, to the South of the Kaikoura Peninsula, fell in with a large number of the Ngatihanu and Ngatihahunu, at a place called Omihi; those they speedily captured and left in charge of some of their party, while the remainder proceeded onward to Kaiapoi. On arriving there with his followers, Haupara pretended that he had come for the purpose of harrowing grounds for gardeners (ponuann), and protested that he was actuated by the most friendly feelings towards the people of Kaiapoi. The Ngatihanu, however, knowing his treacherous character, distrusted his fair speeches, more especially as they had heard, from fugitives who had escaped, about the capture of their relatives at Omihi, and while concealing their suspicions and intentions, enjoyed the utmost cordiality towards their victors, invited the principal Chiefs to their houses, and treated them with lavish hospitality. They hoped, by doing so, to induce Haupara to enter into a treaty with them, and to reciprocate the same courtesies to his own people, the next day after their arrival. To Pehi, Haupara's uncle, while engaged bargaining with one of the Kaiapoi Chiefs for some groats, and others, finding some difficulty in gaining his point, lost his temper, and said, "Why do you, with the crooked tattoo, resist my wishes. You whose name will shortly be cut off with a hatchet." This was a confirmation from the lips of the second in command of the expedition, of their worst fears respecting its object, and after a short consultation it was resolved that the native Chiefs then in the pah, amongst whom were To Pehi, Pohi, and Tekorohi, should be murdered, that he, Haupara, should be put to death. One of them, Pekaihau, was invited to the house of one of the Kaiapoi Chiefs, named Bongoka, whose daughter had fallen into his possession at Omihi; as he stepped to enter, the old Chief took hold of his arm, saying, "Welcome, welcome, my daughter's lord," at the same moment killing him with a blow on the head with a stone club. This was the signal for a general massacre of the guests, and in a few minutes the whole of them were killed.

This was a terrible blow to Haupara, who, never having thought the Kaiapoi people would dare to provoke his anger by destroying his friends and relatives. He hastily withdrew with his party, and retreated northward to Omah. Arriving there, he caused all the prisoners they had captured on the way down to be put to death, and continued his journey onward to the Waipara, whence he crossed with his followers to Kaiapoi.

To Pehi, one of the Chiefs who was murdered at Kaiapoi, had visited England in 1838, to obtain firearms. He procured a passage to Liverpool by secreting himself on board a whaler, until the vessel got out to sea. An attack of measles in England made him acquainted with Dr. Traill. Everything connected withsmith's work and agriculture interested him. A small plot of New Zealand land he recalled his native land to memory; and he was a able pot. Next to his firearms, he valued his agricultural implements. He had many presents given him, but he leaped for joy when presented with some old muskets and a musketeer. When his likeness was taken he insisted that the tattoo marks should be carefully copied. His son, To Hiko e te kangi, who subsequently became a great leader in Cook's Strait, carefully treasured up a few relics of his father's visit to England, especially a volume of the Library of Useful Knowledge, which contained his parent's portrait.

For a long time after the murder of the Ngatihana Chiefs at Kaiapoi, the people of that place heard nothing of To Haupara, and bickered themselves that he would never trouble them again, but his vengeance was only deferred, waiting an opportunity to punish them for the murder of his relatives and friends. Circumstances, however, soon afterwards occurred, which led him in conjunction with other principal men of the tribe, to charter an English vessel to convey a force to Hakaroa, Bank's Peninsula, to avenge their death.

A few months after the murder of To Pehi and others at Kaiapoi, a sealing vessel returning from Sydney with a few New Zealanders on board, amongst whom was a Chief named Hokopa Towanekangi, a brother of To Haupara, called at an Island in Poverty Sound, named Motupuki, where the Maoris were informed of the murder of their relatives. The captain of the vessel, noticing their grief, inquired the cause, and on learning what was the matter, proposed that if they would engage to load his vessel, on their arrival at Kaiapoi, with flax and pigs, he would convey them to Hakaroa, to avenge the death of their relatives. The Natives, who were on board willingly consented to the proposal, and it was arranged that after the vessel had been to the Auckland Islands, to land a party of seamen, and obtain a supply of wood and bamboo, to carry for the vessel to Kaiapoi.

All the preliminaries having been carried out, they proceeded to Hakaroa in the manner prescribed. On arriving there, and the object of the visit becoming known to the European passengers, they induced the captain to abandon the intention, and the vessel
subsequently sailed for Wellington, without any attempt being made to carry out the project.

On reaching Kapiti, Hohepa Tamahoeangi informed Rauparaha and Rangibane of the frustration of the plan, and suggested that another attempt should be made. These Chiefs, glad of any chance that would enable them to carry out their revenge, acquiesced at once to the proposal, and gave orders to their people to procure a cargo of firewood, and that no fire-arms pipe were to be sold to other vessels, until sufficient had been collected for the purpose. In due time, however, the vessel that had brought the party of Natives from the south had taken her departure, and it was some time before another opportunity offered; at last, towards the close of the year 1840, a brig named the Elizabeth, commanded by Captain Stewart, anchored off Kapiti (Tuturua Island), and was immediately boarded by Te Rauparaha and Te Hiko, son of the late Te Pehi, who had been most anxious to avenge his death, and had been for some time bartering his stores and other disposable commodities for markets and ammunition, in readiness for an opportunity of accomplishing his purposes. Captain Stewart then engaged some traders, and some supernorm that they had no firewood on board, but if he would convoy in his vessel as a war party of 300 men to Bank's Peninsula, and assist them in inveigling some of the Natives there on board the brig, under pretense of trading, and return with them to Kapiti, with some prisoners they might capture, they would give him 50 tons of flax, at that time worth about £1200. The captain consented, a regular charter party was entered into, and the vessel was at once fitted out for the work, which might have been done 600 and 600 picked men, under Te Rauparaha, all armed with muskets, others with clubs, it was a certain success. They proceeded to Rauparaha's land, where the captain, by the command, represented himself to those who came alongside, as a trader for firewood and provisions. Unsuspicions of any treachery from the white man, they gave the information that their Chief, Te Mahaerau, was then residing with his wife and daughter in the Waitai valley, near Lake Ellesmere, a short day's journey distant, and readily agreed to convey a message to invite him to come over.

During the interval, Te Rauparaha and his party never came on deck, except at night, and then only a few, and only a few at a time, and so completely did they succeed in their plans, that on the third day, Te Mahaerau, with his son and daughter, and several more of his tribe came on board, all unconscious of danger. As soon as the party stepped on deck, they were invited into the cabin, and, on a signal being given, up sprang the hidden band, and a general massacre took place; the Chief and his wife and daughter being alone preserved to be carried home in triumph. A party of sailors were sent ashore, to take part of Te Rauparaha's band, to assist them in slaying, and the other part of Te Rauparaha's party, to assist them in carrying the Natives they had killed in the northward. Captain Stewart gave orders to set sail for Kapiti. During the voyage, Te Mahaerau caused his daughter, a girl of about 13 years of age, named Nga Heima, who was left behind in the cabin, to throw herself into the sea, in the hope that she might escape by swimming ashore; she was, however, drowned, and Rauparaha, fearing that Te Mahaerau might rob him of his revenge, by committing suicide, ordered his hands to be held behind him, and fastened to a crossbeam under his chest.

On arriving at Kapiti, the captive Chief was retained on board as a hostage, until the agreement concerning the firewood was fulfilled, but, after waiting the stipulated time and no flax being forthcoming, the captain delivered the Chief up to his captors, and set sail for Sydney.

The unfortunate Chief, on being handed over to his enemies, was delivered to the wide and sister of Te Pehi, who cruelly tortured him, and at last put an end to his existence, by a hot knife through his neck. On the Elizabeth reaching Sydney, the circumstances of this diabolical part of the transaction were reported to the Home authorities by Mr. J. B. Montefiore, who, afterwards, gave evidence on the subject before a Committee of the House of Commons in 1858. General Darling, the Governor of New South Wales, at the time, referred the case to the Crown Solicitor, with directions to bring the offenders to justice; but, through some unexplained legal difficulty, this was never effected. Stewart, the captain, was held to bail, but the other parties implicated, and the parents of the victim, were suffered to leave the country, consequently, both the captain and his accomplice escaped the laws, but not the retributive justice of Providence, as it has been stated that he was shortly afterwards washed off the deck of his vessel while proceeding round Cape Horn.

The Governor forwarded to the Home authorities the depositions of two witnesses of the brig, and those of Mrs. Montefiore and Leanne, merchants of Sydney, who had embarked on board the Elizabeth on her return to Kapiti, and at that time knew the circumstances of the case, and seen the captive Chief delivered up to his enemies. Rauparaha was not satisfied, however, with the horrors which wrecked on the Ngatawai for the murder of Te Pehi, and others at Kaiapoi; he must have more victims, cause more blood to flow, but it required some time to complete his preparations. While these were being made, a fighting party of Ngatimana and Ngatawai, headed by Te Puhoe, father of Emanu, the present Chief of Waitapara, travelled from Maraweaw, by way of the West Coast, to the River Awarua, with the intention of attacking the Southern Native. On reaching Awarua, they took advantage of a mountain path from that place to Lake Waitia, and killing, by surprise, on a few families residing there, killed most of them.

Among the prisoners was a boy, the son of the chief person of the place, whose name
was Te Raki. The father, with his two wives and other members of the family, was then on the banks of Lake Hawea. To secure them and prevent the possibility of their proceedings reaching the rest of the tribe, they sent two of their party, with the boy as a guide, but he contrived to prevent his father being taken unaware, and Te Raki, a powerful and determined fellow, killed both of the men sent against him, and escaped with his family.

The war party, with the assistance of some of the prisoners, whom they reserved for slaves, then built themselves rafts (motokis), to descend the River Makarau (Moyleau) to the sea coast. At a point of this river, not far below the lakes (Hawea and Wanaka), there are some falls and rapids, which it is impossible to navigate. It was, therefore, necessary to land above them, take their rafts to pieces, and transport them to the banks of the river, the rapids being left behind them. From the sea coast the invaders made their way overland to the Makarau River, where they surprised another party of Ngitahau at Taturua. On this occasion some escaped, and carried word of what had happened to Awaraou (the Bluef) and thence to Ruapuke, the stronghold of the division of the tribe, and a few days after several boats with a large armed party, headed by Tuisawatu, in their turn, surprised and killed Te Pueko and many of his men, and made slaves of others, amongst whom was Te Pueko's son, Te Waimutu (Porongawata), who was detected a prisoner by the Ngitahau for many years.

Takuru and Niho, who had occupied the country in the neighbourhood of Manawau (Greymouth) up to that time, finding the number of their followers reduced, as some had returned to Makarau Bay, and others had accompanied Te Pueko in his expedition against the southern Ngitahau, and being apprehensive, they might be attacked by either Takuru and his people, or the Ohau Ngitahau, resolved on abandoning the country. They accordingly returned to Makarau Bay with a large remnant of their people, the remainder of the southern Ngitahau being in possession of the West Coast, a far southern coast than Kurnangi Poliau, beyond West Wanganui.

Ruapapa, hearing by this time of the plan for another attack upon the southern Ngitahau, crossed the South with a large force of Ngitahau and Ngitiowata, the latter proceeded by way of the Waiau gorge and Hanmer plains, subsequently rejoicing their confederates at the Waipara, the former having gone by way of the East Coast. The plan of attack having been decided on, Ruapapa marched his force quickly to Kaiapo, reaching that place about mid-day. The Ngitahau were totally unprepared for this sudden attack, a number lying away at Port Cooper, according to Tairua, the Chief of Opara, who was returning there, so far on his journey. Many were in their cultivations when they were startled by the report of firearms and the cries of the dying. A few old men alone being in the pa when the alarm was given; these immediately closed the gates, and missed the only side that could be approached by land. Those who could escape, made their way as fast as possible to Port Cooper, and gave the alarm; fortunately they were in time to save Tairua, who, with his followers, consented to return and relieve the besieged pa. After waiting a short time for reinforcements from the villages on the Paikaia, the relief party proceeded along the coast, crossing the Waimakariri on rafts made of bundles of dry flax sticks. Fearing they might be discovered by the enemy, they waited till dark, and then continued their march along the coast, till they were opposite Kaiapo. As they approached the pa, the watch fired at the enemy warned them that the enemy knew their approach; they then ordered the men to advance, determined, therefore, to plunge into the lagoon and struggle through the mud and water. Continuing creeping along the margin of the lagoon, which bordered one side of the pa, being all the while within a short distance of the enemy's entrenchments, they arrived at its innermost point, and plunged in, shouting Tairua's name, as a warning to their friends not to fire upon them. For a moment the besieged thought it was a ruse of the enemy, to throw them off their guard, and pour a volley amongst their files. After the lagoon, but as they were still struggling up to their necks in mud and water, no harm was done, and as they drew near to each other, their voices were recognised, and a warm welcome received from them. The besieged now took heart and rallied forth day after day to attack the enemy, but the Kapiti warriors were too strong to be overcome, and gradually the besieged grew desponding and confined themselves to defensive operations.

A long time passed, and still the siege progressed, at length Ruapapa began to sap up to the main entrenchments. At first he lost a great many men, but the precautions afterwards taken, soon made it impossible for the besieged to hinder the work, and in a few days the base of the sap was within eight feet of the palisade. Ruapapa now set the whole force to cut manuka bushes, which he had tied in bundles, and piled up in a great heap against the wall. While waiting for a favourable opportunity to set fire to it, the besieged did so from the inside, hoping that as a north-wester was blowing, the heap of manuka would burn without any damage being done to the pa. But they were doomed to a bitter disappointment, when the heap was about half destroyed, the wind suddenly shifted to the south-west, and carried the flames and smoke into the pa amongst them. The defenders had consequently to retreat from the wall to escape suffocation, whereverupon Ruapapa seized the moment for an assault, and a general massacre ensued. Many plunged into the lagoon and escaped along the coast, but many more were intercepted in their flight by the besiegers, and hundreds of captives fell into Ruapapa's hands, many were killed and eaten on the spot, and many reserved for the same fate at Kaiapo. A terrible retaliation ensued.

As soon as Ruapapa had captured the Ngitahau stronghold at Kaiapo, he sent parties to secure the Peninsula and the places as far south as the Takaka, while he, with the
main body of his forces, moved to Eakara, where by false promises he induced a large pah at the head of the bay to surrender. Most of the inhabitants were massacred; but the young and strong were reserved for slaves. In fear of further aggressions by Te Rauaraha, the fugitive Ngatiawa fled to the southern extremity of the Middle Island, many of them taking refuge on the island of Ruapuke. On their return northward many years after, they again located themselves near to their old habitation at Kapo, and on the appearance of Te Rauaraha, some of the Ngatiawa, subsequently, they too repulsed to this spot. No attempt, however, was made to attack the pah in question, destroyed by Te Rauaraha in 1831, but that name was attached to the new village, established a few miles to the southward of the old pah, and is not infrequently applied to the more modern one near the Innai Tuanuku stream, in the immediate vicinity of the present town of Kapo.

After the destruction of Kapo, Eaparaha returned northward with his followers to Kapo, leaving the northern portion of the Middle Island in possession of the tribe, which he had driven from the island.

About the year 1883, in consequence of the war waged by the Walkatah against the tribes occupying the Tarnaki district, a large number after their defeat at Pakarangora, moved southward, and crossing the Sirat, located themselves in Queen Charlotte Sound. About this time, an acquaintance of the land was made amongst the tribes, who assisted Te Rauaraha and the Ngatiawa, in the conquest of the Middle Island. The Ngatiawa occupied the land at Cloudy Bay and the Wairau, and they settled with their Chief, Rawiri Puka, at Te Awarua, Queen Charlotte Sound; some of the Ngatiawa, with the Ngatiawa, also settled in the Pelorus (Te Hoeroa), and Ngatiawas with two other tribes, Ngatiheawia and Ngunitawihia, settled at Kangito (D'Urville's Island). The country in the neighbourhood of Blind Bay, including the Takaka and Aorere districts, were occupied principally by the Ngatiawas and Ngatiawas tribes.

Subsequent to the siege of Kapo, numerous attacks were made by fighting parties of Ngatiawa and other tribes occupying the country on the southern shores of Cook's Strait, but the most notable of these were the event of the Ngatiawa casualties and the Ngatiawa attack on their Chief, Hapari, who went to warn him of the danger. As a result, in the capture of their dead enemy, Te Rauaraha, took place at Kaparaikau, in the Awarua, where a small party of the Ngatiawa, under their Chief, had gone on a bird catching expedition; when they were suddenly surprised, while leading from their canoes at the mouth of the Okewa river (Blind river); by a party of Ngatiawa, under Tabawaki, who Ngatiawa losing a number of men in the encounter, their Chief, Kaparaha, just managed to escape from his assistants by plunging into the sea and swimming off one of the canoes that had withdrawn a distance at the commencement of the attack.

The Ngatiawa, who escaped, made their way to Cloudy Bay, and after procuring reinforcements, started in pursuit of the Ngatiawa, whom they came up with at Watagaki, near Cape Campbell, where a fight ensued, the Ngatiawa getting worsted. They however, contradicted this statement, asserting that not only was the attack unavenged, but that on a subsequent occasion, they successfully conducted an expedition against the Ngatiawa, in the neighbourhood of Port Underwood, where a number of the tribe were killed, whose deaths it is also stated have never been avenged, and further, the Ngatiawa were in consequence of this attack; that ever since their asserted conquest, they have been compelled to remain in undisturbed possession of a large proportion of their original territory, to the south of the Claresone (Watagaki); but, this may be attributed to other and higher causes, than the one alleged by the Ngatiawa, as there is little doubt, but that the Ngatiawa tribe was for a long time subjected to constant and unbroken attack by their enemies, and in the Ngatiawa from being exterminated by their more powerful enemies, the Ngatiawa. The formation of Mission Stations in 1834-5, at Otaki, Wanganui, and other places adjacent to Cook's Strait, put an end to these cruel and wretched wars, which useless conflicts, and through the instrumentality of the Missionaries, the contending tribes were converted to the gospel of peace. From these places, the Natives around for many miles, were regularly visited, and brought under Christian instruction, receiving largely at the same time the manifold blessings of trade, commerce, and civilization. The settlement of the country in the neighbourhood, about the year 1846, was the means also of stimulating their industry and turning their attention to more peaceful pursuits.

For some years after these introductions of Christianity, it was supposed that a wild race dwelt in the inaccessible parts of the Northern Island. The many stories current about them led to the idea that they were the real Aborigines, and that they had been driven inland by the Maori immigrants. The negro features of some Natives gave additional support to the conjecture, being attributed to intermarriage with this race. But on further inquiry, it was discovered that the supposed Aborigines were either runaway slaves, or persons escaped from some pah, where the majority of the inhabitants had been slaughtered, who in their hour of need sought the shelter of the forests, and further, that the negro features often met with were owing to the intermarriage of some of the Natives with Ngatiawa, prior to their arrival in this Island. The reported existence of a wild race at Blind Bay, on Cook's Sound; by Captain Stoyle, of H.M.S. "Acheron," is due to the revival of the old idea, respecting an
aboriginal race, but there is no room for speculation as to the origin of these people, as the Natives of the south describe them as belonging to a tribe called Ngati-Mamoe, formerly one of the most numerous of the aboriginal tribes inhabiting the Middle Island, but from the incessant wars waged against them by the Ngati-Tama, they had become reduced in number, that the remnant had withdrawn to the mountain fastnesses, west of Lakes Hawea and Wanaka, from which they could not be driven.

Many of the lakes, however, that are told about these people, are pure fabrications, but the following are generally allowed to be authentic. Between 60 and 70 years ago, Kingara, a Ngati-Kau Chief, started with his followers to plunder a sealing station, at Kanehura, at the south-west extremity of the Island. As they clambered along the rocky coast, they came upon a house built on the edge of a cliff. Knowing that it could belong to no other than the lost tribe, they approached it stealthily, and succeeded in surrounding it unperceived. They captured the only inmate, a woman who called herself Taneke Keke, and after questioning her about her people, they cruelly killed her, and devoured her on the spot. The next day after her command, he stoned the place, and was seen or heard of any of the tribe for some years afterwards, till a Nati, named Te Waso, who was out sealing, near Aparima (Jacob's river), met two of them. As he made his way through the scrub, he was surprised to see two men standing at a little distance head-to-head. Wishing for a closer inspection before showing himself, he crept towards them, but found to his annoyance, that a stream stopped his further progress. As it was too deep to ford, and being unable to swim, he stood head to the stream bank. Instead of replying, the stream had carried away the foreheads and hands of Te Waso not wishing good game to escape, sprang upon a kowai tree, growing on the bank, and bending it over the stream, dropped on the opposite side, and gave chase, but the fugitives gained the cover, and escaped before he could overtake them.

An old man named Kapiti, and his sister Pepahoro, who lived near Aparima, had frequent visits from the Ngati-Mamoe. The lonely situation of their house on the border of a forest, probably tempted these timid creatures to venture on their acquaintance. These visits extended to the death of these persons, which occurred since the settlement of Canterbury.

It might be supposed that the foregoing accounts had been invented by the Natives, to satisfy the cravings for bids of the lost tribe, but for the independent testimony borne by a sealing party, who in 1842, discovered one of the Ngati-Mamoe haunts. An evening up one of the narrow fiords that indent the south-west coast, the crew were astonished to see smoke issuing from the face of the cliff. Having moored their boat directly under the spot, they succeeded in scrambling up till they reached a large cave, which they found deserted. Inside, the inner part being used as a sleeping place, was found a fire, and the outer for cooking. A handsome nest neatly covered with feathers of different birds, was found in the cave, with a "More panou" or club, made from the jaw bone of a sperm whale, also fishin lines and baskets, on the last mentioned the woman had evidently been employed when surprised. An attempt was made to follow the runaways, but soon abandoned. After going along a path for some distance, through a dense forest, they came to a number of branch paths, each of which, a little distance further down, either led up a hill, or to a fall, an ample supply, the party returned to their boat, carrying their spoils with them. These articles were exhibited at the various settlements in Otago, and at Kaiapoi, and on the Peninsula. The man was afterwards sent to Otaki, and presented to a Chief there, and the "More" is now in the possession of an old chief at Fort Levy.

It is stated that the Natives on the West Coast north of Milford Haven have often seen the smoke of the Ngati-Mamoe fires, and sometimes came upon recent camping places; and many years ago, a woman was captured by a sealing party, grazing shellfish on the beach, but owing to her escaping in the night, little information was obtained as to the habits of her people.

The fact also that Natives have been seen by passing vessels fishing on the rocks in Localities never occupied by other Maoris, furnishes additional evidence of the existence of these wild men.

It seems clear from the various statements received concerning the existence of the Ngati-Mamoe in the West Coast of the Middle Island, that a small number of these fugitives did occupy the mountainous country in the south-west district of Otago, to a comparatively recent date. The exploration, however, to which the country has been subjected during the last few years by parties of diggers prospecting for gold, forbids any reasonable hope that any of this tribe still exist.

For a few centuries after the arrival of the Maoris in New Zealand, they appear to have continued to increase. As the race, however, diminish from the contact of tribal characteristics, history multiplied, intermarriage with the boundaries more and more became frequent. The hereditary transmission of these fends did more to devastate the land than any other known cause. Cannibalism with its traditional force, afterwards superceded and intensified the horrors of intertribal quarrels. Following this period of devastation came that of evangelisation. In 1814, the Church Missionary Society chose New Zealand as a scene for its labours, but, owing to the dreadful state of affairs that then existed, it was only ten years after the establishment of the first station that the first Maori converted. Since then the Church has made its influence, and combined to bear a time, the continuance of these quarrels. The acquisition, however, of firearms by the Ngapuhi tribes in 1820, caused a renewal of hostilities, and war was resumed with
remotely of Negroes, thousands were killed in the insanguinary struggle, and it is estimated that fully 60,000 persons were killed, or otherwise perished in consequence of the war, between that date and the conclusion of the Colony in 1540.

The gradual formation of Mission Stations throughout the North Island, and the spread of Christian instruction, put an end by degrees to these fearful conflicts, and during the last three years of the period named, the blessings of peace became daily more valuable in their eyes. During the first 20 years after the foundation of the Colony, the Manual training and colonization in civilization. The influx of European settlers caused them to turn their attention to agricultural pursuits. In consequence the quantities of wheat, potatoes and other produce raised by them for sale, and sold in the neighboring markets. Much was also done for them by the Colonial Government in aiding them with mills, ploughs, harrows, and other agricultural implements, and with annual grants of money for schools. New Mission Stations were formed in many places for their instruction. Many laws were also made exclusively for their benefit, and large sums of money were paid to them for their lands, while the value of the reserves remained for their own use, adjacent to the settled blocks, was greatly increased.

These efforts, which seemed for a time to be successful in elevating the Maori, gradually succumbed before the impression which possessed the Native mind, that their days were numbered; year by year they grew more idle and discontented, and careless in Christian observances, in morals, and in the attendance of their children at schools. As a final attempt to withstand the intrusions of immigration, they formed an anti-land-selling league in 1854, and soon after engaged in a murderous war against their best friends, the Colonists, but failure ever since, to drive the Europeans out of the country, resistance had to the end of old traditions and of the new, and sprang up among the tribes in the North Island, superseding the Christianity, nominal or real, of a large part of the race, and developing itself into one of the most disgusting and terrible superstitions ever exhibited. This heathenism is now passing away, and there is a growing disposition to listen again to the teachings of Christianity. They are also returning the industrial pursuits which they had, more or less, abandoned for several years, and a strong desire is manifested by them for the education of their youth in the English language; it is therefore to be hoped, now that peace is once more restored, that the Maori will accept his position, live in unity with his European neighbour, and desist from further attempts to set up a separate nationality.

The Natives of the South Island have been entirely free from the temptations that prevailed amongst many of the tribes of the North Island. Although a few restless spirits favoured the King policy when it was first conceived, very little feeling has been displayed in regard to the movement, and not understanding that emissaries were dispatched from the King party to make converts amongst them, but little effect was produced by their advocacy of the cause. The emancipist movements have neither found favour with them to any extent; and, while they are, perhaps, less observant of religious worship than formerly, nothing noteworthy has occurred in connexion with their religious condition. Their disposition towards the Europeans is uniformly good, and their attachment to the Government has remained unaltered during the whole of the disturbances in the North Island. Viewed as a whole, their social condition is very satisfactory, and is not in any degree worse than the present by the labouring classes, and their domestic habits are gradually assimilating to the Europeans. The houses are fast assuming a respectable appearance, most of them are built of wood, and amidst all, have doors, windows and chimneys. The number of the people is about thirty-five, the births keeping pace with the deaths. The total population of the Middle and Stewart's Island is 2600, in the proportion of 1326 males to 1277 females; the children form little more than onethird of the whole. But a very small proportion of the Natives women bear children. The want of security in the females has been attributed to the illicit intercourse which takes place between the sexes from a very early age. This habit, however, proved to a greater extent amongst the Natives in former years, during the period when the race was increasing; then it does now, so that the sterility of the women must be traced to other causes; formerly they frequently gave birth to 10 or 12 children, although it was seldom so large a family was reared, but such cases are very rare now.

The deficiency of labour in the reproductive power of the race has been partially attributed to the circumstances of their existing mainly upon a vegetable diet, but other nations of the world exist in perfect health, and multiply on a diet of which animal food forms but a small part. There would seem, therefore, no reason why the Maori population, dwelling in a state of quietude, should not increase in the same geometrical progression under similar circumstances, without there are other causes for their decrease. There is little doubt, however, that the true cause of their gradual decay lies in the inter-breeding, so to speak, that such a comparatively small and native population, divided into numerous tribes, must of necessity have had to recur to, from their long isolation from that admixture of different blood, which is so essential to the maintenance of the preserved vigour of a race.

The industrial stimulus the Natives received in the early days of the Colony through the steady influx of settlers, and increased consequent demand for pigs, eggs, potatoes and other Native produce, which led them to vie with the Europeans in the cultivation of the land, has diminished year by year, until little attention is now paid by
them to agricultural operations, further than to raise a bare sufficiency for their own wants. The same cause that has tended to retard this pursuit amongst the European settlers of late years, the decline in the value of produce, has also operated amongst the Natives. The discovery of gold also had the effect of causing many to completely abandon the cultivation of their land for the pursuit of gold digging, at which some have been very successful, but as a rule their earnings have been mostly squandered in a useless manner, and the result, with a few exceptions, has been the increase of indolence and improvidence amongst them.

Since the sale of the bulk of their lands to the Crown, the Natives have been mostly confined to their reserves, which, although large in the aggregate for the number of persons to whom they belong, are small in comparison to the extent of land owned by them in former years, over which they could hunt or fish without hindrance, or the fear of transgressing some unknown law. Now they can hardly keep an animal without it becoming a source of anxiety, lest it involve them in some trouble with their European neighbours. The civilization which now prevails around them, besides curtailting their liberties, has also compelled the adoption of a different mode of life, which, owing to their improvident habits, they find very difficult to maintain. All this is very perplexing and bewildering to the Maori, and it is not surprising that persevering his inactivity, to keep pace with his European neighbours, a want of earnestness should predominate all he undertakes.
ABSTRACT OF DEEDS OF PURCHASE

IN THE

SOUTHERN ISLAND

ENTERED INTO BETWEEN

THE GENERAL GOVERNMENT AND THE NATIVES

FROM THE

1st JANUARY, 1844, TO THE 31st DECEMBER, 1867.
<table>
<thead>
<tr>
<th>Price</th>
<th>District or Province</th>
<th>Abstrait of Deed.</th>
<th>Name of Tribe or Claiming Claims</th>
<th>Date of Execution</th>
<th>Amount Paid</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>654</td>
<td>Canterbury and Otago (Kemp Purchase)</td>
<td>Deed of Sale executed at Akaroa on the 13th day of June, 1846, conveying to the New Zealand Company all claims to land between the boundary line of land sold by the Ngati ohu to the Canterbury Province in 1846, and of the Nelson Block on the North, and the boundary of Mr. Symonds' purchase from Milford Haven to the Kahikat Range, and claims to Nelson on the North, on the 13th December, 1846, 500 0 0</td>
<td>Ngati ohu 13th June, 1846</td>
<td>5,000 0 0</td>
<td>No copy in Crown Lands Office (original deed in Crown Lands Office, Dunedin).</td>
<td></td>
</tr>
<tr>
<td>655</td>
<td>Wairau, Nelson</td>
<td>Receipt for £500, first installment of the sum of £2,500, in payment for claims to land in the Wairau and neighboring districts, to be paid in three installments of £500 on the 13th December, 1846, 10th April, 1846; 15th April, 1850, 1st April, 1851.</td>
<td>Ngatihehe</td>
<td>15th March, 1847</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>656</td>
<td>Wairau, Nelson</td>
<td>Receipt for £500, second installment of the sum of £2,500, in payment for claims to land in the Wairau District</td>
<td>Ngatihehe</td>
<td>15th March, 1847</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>657</td>
<td>Wairau, Nelson</td>
<td>Receipt for £500, third installment of the purchase money for claims to the Wairau District</td>
<td>Ngatihehe</td>
<td>15th March, 1847</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>658</td>
<td>Waikato, Nelson</td>
<td>Receipt for £500, fourth installment of Waikato purchase money</td>
<td>Ngatihehe</td>
<td>1st May, 1850</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>659</td>
<td>Waikato, Nelson</td>
<td>Receipt for £500, fifth installment of Waikato purchase money</td>
<td>Ngatihehe</td>
<td>4th March, 1850</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>660</td>
<td>Te Whakatere, Waikato</td>
<td>Receipt for £500, first installment of the purchase money agreed on for the Waikato purchase.</td>
<td>Ngatihehe</td>
<td>14th March, 1841</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>661</td>
<td>Waipounamu, Middle Island</td>
<td>Receipt for £500, second installment of the purchase money agreed on for the Waipounamu purchase.</td>
<td>Ngatihehe</td>
<td>15th April, 1841</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>662</td>
<td>Waipounamu, Middle Island</td>
<td>Receipt for £500, third installment of the purchase money agreed on for the Waipounamu purchase.</td>
<td>Ngatihehe</td>
<td>15th April, 1841</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>663</td>
<td>Waipounamu, Middle Island</td>
<td>Receipt for £500, fourth installment of the purchase money agreed on for the Waipounamu purchase.</td>
<td>Ngatihehe</td>
<td>15th April, 1841</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>664</td>
<td>Waipounamu, Middle Island</td>
<td>Receipt for £500, fifth installment of the purchase money agreed on for the Waipounamu purchase.</td>
<td>Ngatihehe</td>
<td>15th April, 1841</td>
<td>500 0 0</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>District or Province</td>
<td>Description of Deed</td>
<td>Name of Tribe or Party Claiming</td>
<td>Date of Execution</td>
<td>Amount Paid</td>
<td>Remarks</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------</td>
<td>---------------------</td>
<td>---------------------------------</td>
<td>-------------------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td>513</td>
<td>Westfield, Waitaki, and Aramoana</td>
<td>Deed of Sale executed at Ngaiawa, 2nd March, 1864, by the chiefs and people of the Ngatiawa Tribe conveying to Her Majesty their claims to certain lands in Queen Charlotte Sound and elsewhere.</td>
<td>Ngatiawa</td>
<td>2nd March, 1864</td>
<td>£200 0 0</td>
<td>$2,900 was all that is mentioned in the Deed, although $2,900 was the amount actually paid. Receipt for $200 was attached to Deed.</td>
</tr>
<tr>
<td>519</td>
<td>Matukiki</td>
<td>Deed of Sale executed at Darcsin, 17th August, 1863, conveying to Her Majesty all the southern part of the Middle Island to the North of Orapainga's and Spoons's purchase, conveying certain reserves named in the deed.</td>
<td>Ngatiawa</td>
<td>17th August, 1863</td>
<td>$2,500 0 0</td>
<td></td>
</tr>
<tr>
<td>518</td>
<td>Nelson</td>
<td>Receipt for £200 paid to Natives at Taranski for claims in the Province of Nelson.</td>
<td>Ngatiawa</td>
<td>16th March, 1864</td>
<td>$500 0 0</td>
<td></td>
</tr>
<tr>
<td>514</td>
<td>Gore's Harbour and Peppersin, Q.C.H.</td>
<td>Receipt for £200 paid to Tamaki Wiwa Kingi for claims to land at Gore's Harbour and Peppersin, Queen Charlotte Sound.</td>
<td>Ditto</td>
<td>16th Nov., 1864</td>
<td>$100 0 0</td>
<td></td>
</tr>
<tr>
<td>515</td>
<td>Te Awekai, Q.C.B.</td>
<td>Receipt for £200 paid to Tamaki Natives for claims to land at Te Awekai, Queen Charlotte Sound.</td>
<td>Ditto</td>
<td>24th Nov., 1864</td>
<td>$200 0 0</td>
<td>Part of the £2,500 named in the Deed of August, 1863.</td>
</tr>
<tr>
<td>516</td>
<td>Middle Island</td>
<td>Receipt for £200 paid to Ngaitaha Natives, being a portion of the amount of £2,000 agreed on as payment for claims in the Middle Island, on the 10th August, 1863.</td>
<td>Ngaitaha</td>
<td>16th Dec., 1864</td>
<td>$2,000 0 0</td>
<td>This amount was to be repaid by the 30th November, 1865, with interest at 6 per cent., or the land to be forfeited to Her Majesty.</td>
</tr>
<tr>
<td>595</td>
<td>Otago</td>
<td>Receipt from Tamaki of Otago for the sum of £200 advanced on the security of his land at Otemi and Te Etoa-to-Akaupou, Otago. Rent is due.</td>
<td>Ngaiha and Ngatihina</td>
<td>9th Feb., 1866</td>
<td>$100 0 0</td>
<td></td>
</tr>
<tr>
<td>534</td>
<td>Nelson</td>
<td>Deed of Sale to Her Majesty executed at Nelson on the 25th November, 1864, by the Ngatirama and Ngatiawana, ceding all their claims to land that were not sold formerly, commencing at the Waitaiti, Thames to Wanganui to the boundary of the land sold by the Ngatiaw, excepting certain lands at West Whanganui within the boundaries described in the Deed.</td>
<td>Ngatiawa and Ngatihina</td>
<td>10th Nov., 1866</td>
<td>$800 0 0</td>
<td></td>
</tr>
<tr>
<td>536</td>
<td>Waitai</td>
<td>Receipt from the Waikato of the Ngatiawana Tribe for all claims to land from Waitai to Arrow, excluding certain reserves named by the Government of Waitai.</td>
<td>Waikato</td>
<td>1st Feb., 1866</td>
<td>$100 0 0</td>
<td></td>
</tr>
<tr>
<td>550</td>
<td>Queen Charlotte's Sound</td>
<td>Deed of Sale to Her Majesty by the Ngatiwha Tribe, executed at Waitai, Queen Charlotte Sound, 9th February, 1866, ceding all claims to land within certain boundaries, ceding the reserves as indicated on the plan attached to the same.</td>
<td>Ngatiwha and Ngatihina</td>
<td>9th Feb., 1866</td>
<td>$500 0 0</td>
<td></td>
</tr>
<tr>
<td>541</td>
<td>Makarora and Tikeha</td>
<td>Deed of Sale to Her Majesty by the Ngatuwha Tribe, executed at Waitai, Queen Charlotte Sound, 9th February, 1866, ceding all claims to land within certain boundaries, ceding the reserves as indicated on the plan attached to the same.</td>
<td>Ngatiwha</td>
<td>15th Feb., 1866</td>
<td>$100 0 0</td>
<td></td>
</tr>
<tr>
<td>549</td>
<td>Catlins and Faloves</td>
<td>Deed of Sale to Her Majesty by the Ngatiwha Tribe, executed at Nelson on the 14th February, 1866, ceding all claims to land in the Middle Island, excepting certain reserves set apart for those cultivations.</td>
<td>Ngatiharua</td>
<td>8th Mar., 1866</td>
<td>$100 0 0</td>
<td></td>
</tr>
<tr>
<td>548</td>
<td>Motueka</td>
<td>Deed of Sale to Her Majesty, executed 31st March, 1866, by the Ngatihina Tribe, ceding all claims to land at Pohara, Motupaki, Falativo and Hangaii, excepting the lands set apart for their use.</td>
<td>Ngatihina and others</td>
<td>6th March, 1866</td>
<td>$50 0 0</td>
<td>It would appear that £200 was paid to To Aparo for the same block, probably a portion of the land of 2000 to 3000 acres for the Natives of that District as their share of the £2,000 paid in 1846 by the New Zealand Company under Mr. Speirs' award.</td>
</tr>
<tr>
<td>546</td>
<td>Separation Point</td>
<td>Deed of Sale to Her Majesty, executed 7th March, 1866, by the Ngatihina and Ngatiawana Tribes, ceding all claims to land at Whakaraupou, Motupaki, Separation Point, Pohara, and thence to Motupaki.</td>
<td>Ngatihina and Ngatiawana</td>
<td>7th Mar., 1866</td>
<td>$300 0 0</td>
<td></td>
</tr>
<tr>
<td>District or Province</td>
<td>Name of Tribe or Claimant</td>
<td>Date of Execution</td>
<td>Amount Paid</td>
<td>Remarks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------</td>
<td>------------------</td>
<td>-------------</td>
<td>---------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ngatimana</td>
<td>7th March, 1856</td>
<td>110 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ngatiwhiri</td>
<td>6th March, 1856</td>
<td>19 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ngatiwhiri</td>
<td>10th Dec, 1856</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ditto</td>
<td>6th February, 1857</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ditto</td>
<td>18th Dec, 1857</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ditto</td>
<td>25th March, 1859</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ditto</td>
<td>6th January, 1859</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ditto</td>
<td>21st May, 1859</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ngatiwhiri and Ngaimpana</td>
<td>30th June, 1854</td>
<td>6,000 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>...</td>
<td>Ngatiwhiri</td>
<td>February, 1857</td>
<td>300 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total amount expended by the Government in the purchase of land from Natives in the Southern Island...

Add additional amount paid in 1854 in stores and supplies by Captain Wakefield, on behalf of the New Zealand Company, to the Tribes residing in the Nelson District...

Total... 2,182 0 0
PUBLIC DOCUMENTS

RELATING TO

THE COLONY OF NEW ZEALAND.
### PUBLIC DOCUMENTS relating to the early History of the Colony of New Zealand.

#### Schedule.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>29th Dec., 1837</td>
<td>Lord Glenly</td>
<td>The Earl of Durham</td>
<td>Stating the principles under which he was willing to establish a Colony in New Zealand</td>
<td>9</td>
</tr>
<tr>
<td>2</td>
<td>30th Dec., 1837</td>
<td>The Earl of Durham</td>
<td>Lord Glenly</td>
<td>Suggesting modification of the plan of settlement proposed</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>9th Feb., 1838</td>
<td>Lord Glenly</td>
<td>The Earl of Durham</td>
<td>Declining to grant a Charter to the New Zealand Association, but consenting to the introduction of a Bill into Parliament</td>
<td>11</td>
</tr>
<tr>
<td>4</td>
<td>12th Dec., 1838</td>
<td>Mr. Stephen</td>
<td>Mr. Backhouse</td>
<td>Representing the expediency of appointing an Officer with the character and powers of British Consul at New Zealand</td>
<td>11</td>
</tr>
<tr>
<td>5</td>
<td>16th July, 1839</td>
<td>Treasury Minute</td>
<td>Treasury Minute mentioning an advance for the expenses of the office about to proceed to New Zealand to assist the Governor-General</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>14th Aug., 1839</td>
<td>The Marquis of Normanby</td>
<td>Captain Hobson</td>
<td>Instructions for his guidance on proceeding to New Zealand</td>
<td>13</td>
</tr>
<tr>
<td>7</td>
<td>24th Aug., 1839</td>
<td>The Marquis of Normanby</td>
<td>Captain Hobson</td>
<td>Requesting explanation of certain passages in his instructions</td>
<td>17</td>
</tr>
<tr>
<td>8</td>
<td>21st Feb., 1840</td>
<td>The Marquis of Normanby</td>
<td>Captain Hobson</td>
<td>Authorizing instructions for his guidance on the manner of dividing New Zealand</td>
<td>30</td>
</tr>
<tr>
<td>9</td>
<td>27th Nov., 1840</td>
<td>The Marquis of Normanby</td>
<td>Mr. Buxton</td>
<td>Regarding the question of the British sovereignty of New Zealand</td>
<td>16</td>
</tr>
<tr>
<td>10</td>
<td>19th March, 1840</td>
<td>Mr. Buxton</td>
<td>Lord Palmerston</td>
<td>Resuming a communication of the reply of Mr. Buxton to the statement contained in Mr. Buxton's letter of 7th November</td>
<td>21</td>
</tr>
<tr>
<td>11</td>
<td>26th Jan., 1840</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Proclamation by Governor Hobson of the extension of the Colony of New South Wales so as to comprehend every part of New Zealand that is or may be in sovereignty, and that he has taken the necessary steps to establish</td>
<td>22</td>
</tr>
<tr>
<td>12</td>
<td>29th Jan., 1840</td>
<td>Proclamation by Governor Hobson respecting land titles and claims to land in New Zealand</td>
<td>The Secretary of New Zealand Company</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>26th Feb., 1840</td>
<td>Proclamation by Governor Hobson of the sovereignty of the Queen over the Northern Island of New Zealand</td>
<td>General report on the state of the country and population</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>20th February, 1840</td>
<td>Governor Hobson</td>
<td>The Marquis of Normanby</td>
<td>Proclamation by Governor Hobson of the sovereignty of the Queen over the Middle and Southern Islands of New Zealand</td>
<td>25</td>
</tr>
<tr>
<td>15</td>
<td>21st May, 1840</td>
<td>Proclamation by Governor Hobson respecting land titles and claims to land in New Zealand</td>
<td>Lord John Russell</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>21st May, 1840</td>
<td>Proclamation by Governor Hobson respecting land titles and claims to land in New Zealand</td>
<td>The Secretary of the New Zealand Company</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>17th Sept., 1840</td>
<td>Governor Hobson</td>
<td>Sir George Gipps</td>
<td>Proclamation by Governor Hobson of the sovereignty of the Queen over the Middle and Southern Islands of New Zealand</td>
<td>26</td>
</tr>
<tr>
<td>18</td>
<td>2nd Sept., 1840</td>
<td>Governor Hobson</td>
<td>Lord John Russell</td>
<td>Drawing attention to an emancipation that an expedition has been dispatched for the purpose of founding a French Colony and Peace Settlement at Banks's Peninsula</td>
<td>27</td>
</tr>
<tr>
<td>19</td>
<td>26th Oct., 1840</td>
<td>Governor Hobson</td>
<td>Lord John Russell</td>
<td>Reporting his visit to Alaska and the subsequent arrival of the French frigate &quot;L'Aube&quot;</td>
<td>27</td>
</tr>
<tr>
<td>20</td>
<td>26th Oct., 1840</td>
<td>Governor Hobson</td>
<td>Sir George Gipps</td>
<td>Reporting his attack on Alaska and the subsequent arrival of the French men-of-war and frigates</td>
<td>28</td>
</tr>
<tr>
<td>21</td>
<td>27th Oct., 1840</td>
<td>Governor Hobson</td>
<td>Lord John Russell</td>
<td>Transmitting the Letters Patent and other documents creating New Zealand into a separate Colony</td>
<td>29</td>
</tr>
<tr>
<td>22</td>
<td>31st Dec., 1840</td>
<td>Governor Hobson</td>
<td>Lord John Russell</td>
<td>Extract from the Charter of the Colony of New Zealand</td>
<td>30</td>
</tr>
<tr>
<td>23</td>
<td>1st July, 1841</td>
<td>Governor Hobson</td>
<td>Lord John Russell</td>
<td>Additional instructions regarding the Aborigines</td>
<td>33</td>
</tr>
<tr>
<td>24</td>
<td>3rd June, 1841</td>
<td>Lord John Russell</td>
<td>Governor Hobson</td>
<td>Proclamation by Governor Hobson of the appointment of the Governor and Council</td>
<td>34</td>
</tr>
<tr>
<td>25</td>
<td>3rd July, 1841</td>
<td>Lord John Russell</td>
<td>Governor Hobson</td>
<td>Proclamation by Governor Hobson of the declaration of the Island of New Zealand into a separate Colony</td>
<td>35</td>
</tr>
<tr>
<td>26</td>
<td>20th Oct., 1840</td>
<td>Lord John Russell</td>
<td>Governor Hobson</td>
<td>Inquiring the intentions of the Government, New Zealand having become a British Colony</td>
<td>37</td>
</tr>
<tr>
<td>27</td>
<td>19th Nov., 1840</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Stating the draft of an arrangement shall be transmitted in a few days</td>
<td>38</td>
</tr>
<tr>
<td>28</td>
<td>19th Nov., 1840</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Transmitting the terms of the proposed agreement</td>
<td>39</td>
</tr>
<tr>
<td>29</td>
<td>19th Nov., 1840</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Lord John Russell's agreement with the Company</td>
<td>39</td>
</tr>
<tr>
<td>30</td>
<td>19th Nov., 1840</td>
<td>Mr. Buxton</td>
<td>Sir George Gipps</td>
<td>Accepting the proposed agreement</td>
<td>39</td>
</tr>
<tr>
<td>31</td>
<td>3rd Dec., 1840</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Transmitting correspondence passed between the Government and the New Zealand Company, and infringing that it is intended a Commissioner should be sent out from England to inquire into the title or claims to land in New Zealand</td>
<td>41</td>
</tr>
<tr>
<td>32</td>
<td>11th Jan., 1841</td>
<td>Mr. Buxton</td>
<td>Lord John Russell</td>
<td>Communicating the intentions of the Government with regard to the Government and colonization of New Zealand</td>
<td>43</td>
</tr>
<tr>
<td>33</td>
<td>20th Jan., 1842</td>
<td>Mr. Buxton</td>
<td>Lord John Russell</td>
<td>Transmitting the Draft of Charter of Incorporation</td>
<td>42</td>
</tr>
<tr>
<td>34</td>
<td>30th Jan., 1842</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Acknowledging the same, and stating that the drafts had been referred to the Attorney and Solicitor-General for their opinion</td>
<td>43</td>
</tr>
<tr>
<td>35</td>
<td>10th Feb., 1842</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>The Company's Charter of Incorporation</td>
<td>43</td>
</tr>
<tr>
<td>36</td>
<td>15th Feb., 1842</td>
<td>Mr. Buxton</td>
<td>Mr. Buxton</td>
<td>Supplemental Charter of 1842</td>
<td>48</td>
</tr>
</tbody>
</table>
No. 1.

Lord Grey to the Earl of Durham.

DOWNING STREET, 20th December, 1837.

I have the pleasure to send you, according to my promise, a summary of the principal topics on which I touched in our interview, on Wednesday, the 20th instant, on the subject of the colonisation of New Zealand.

1. The intelligence which Her Majesty's Government has received, from the most recent and authentic sources, justifies the conclusion that it is an indispensable duty, in reference both to the Natives and to British interests, to interpose by some effective authority to put a stop to the evils and dangers to which all those interests are exposed, in consequence of the manner in which the intercourse of foreigners with those Islands is now carried on.

2. The proposal made by the late Parliamentary Committee on Aborigines appears inadequate to meet the existing evil; and the repression of practices of the most injurious tendency to the Natives of New Zealand is a task which, in the opinion of all persons in whose hands the affairs of those Islands are now settled, it is the duty of the Government within that territory, and in the neighbourhood of places resorted to by British settlers.

3. In yielding to this conviction, Her Majesty's Government is fully aware of the danger with which European settlements amongst uncivilised men must always be attended to the weaker party. They would feel it their duty to oppose any scheme, however inviting to other respects, which might involve the probability of a repetition in another quarter of the globe of the calamities by which the aborigines of American and African colonies have been afflicted. Rather than incur such a danger, Her Majesty's Government would leave the social improvement of New Zealand to be worked out by the gradual influence of Christian missions; but experience has shown that it is impossible to take that line in this case. Colonisation to any extent is effected in those Islands; the only question, therefore, is between a colonization, despotic, without law, and fatal to the Natives, and a colonization organized and salutary.

4. Her Majesty's Government are therefore disposed to entertain the proposal of establishing such a Colony.

5. They object, however, to the establishment of it by Act of Parliament, a mode of proceeding unusual and unnecessary. They are willing to consent to the incorporation, by a Royal Charter, of various persons, to whom the settlement and government of the projected Colony, for some short term of years, would be confided. The charter would be framed with reference to the precedents of the Colonies established in North America by Great Britain in the sixteenth and seventeenth centuries. Allowing the mode of proceeding by charter to be agreed to, the whole question will turn on the provisions of that instrument; and here it is proper to state some provisions or conditions to which the Government attach especial value and importance.

6. The Government would reserve to themselves a veto as to the persons of whom the governing body of the Corporation would, in the first instance, be composed, and the right of nominating a certain number, if they should think it expedient.

7. The Government should have a vote on the nomination by the corporate body of the governor, judges, ecclesiastical officers, and all other functionaries in whose hands may be placed any considerable trust or authority.

8. The Queen should have the right of disallowing all laws enacted for the government of the Colony.

9. To the corporate body or their officers would be confided, during the continuance of the charter, the whole administration, legislative, judicial, military, and financial, of the affairs of the settlement.

10. As a check upon the exercise of these large powers, arrangements should be made for giving the utmost publicity to the proceedings of the Corporation, not merely by periodical reports to the Government and to Parliament, but by the necessity of holding quarterly courts or other proceedings of that nature, in the most public manner, in the presence of all persons in this country interested in the affairs of the settlement, for the discussion of all subjects affecting its progress and welfare.

11. It would be required that the proposed Colony should be limited in extent, and that it should not be so extensive with the whole of the New Zealand Islands. Her Majesty's Government would also reserve to themselves the right of advising the Crown to grant a similar charter of incorporation of any other body, provided only that the limits of the jurisdiction of any such Company shall not interfere with those of another, and that the same restrictions shall be imposed on such as to the prices at which land shall be disposed of, and as to any other important particulars.

12. The settlement of the Colony must be effected, if at all, with the free consent of the existing inhabitants or of their chiefs.
13. Her Majesty's Government would stipulate for the nomination of officers, with whose concurrence alone contracts with the Natives for land for the proposed Colony should be made; so such contract to be valid unless sanctioned by the Crown, and the Crown shall be at liberty, within a limited period, to disallow such contract if necessary. Until the express sanction of the Crown had been obtained, or the period of such disallowance had expired, it would not be permitted to the Company to enter into such agreements with individuals for the sale to them of any part of the land comprised in any such contract, except with distinct notice that the contract was liable to be disallowed.

14. Of that part of the proceeds of the sale of land which is to be expended on local improvements, a fixed proportion would be appropriated to the erection and maintenance of places of Divine worship and school-houses, for the support of the ministers of religion and schoolmasters—the aborigines to be assured the most ample participation in the benefits of this provision for religious and scholastic instruction.

15. The same fund would be subject to a charge for the maintenance of an adequate number of officers, to be appointed by Her Majesty, for the protection of the aborigines; and to those officers every power necessary for the effective discharge of their duties would be confided.

16. The general principle as to the sale of lands, at a fixed upset price, by public auction, with the prohibition of all gratuitous grants, would be introduced into the charter.

17. It may be necessary to stipulate for the protection of rights already lawfully acquired in New Zealand by British subjects, and for securing to the missionaries, who have established themselves there, the freest exercise of their functions in imparting religious instruction to the Natives.

18. The Company would be required, before entering upon the transaction of business, to provide themselves with a certain subscribed capital, of which some definite portion should be paid up before any authority is exercised by virtue of the charter.

I have thus indicated, in general terms, the outlines of those provisions which the Government think essential to the plan; they are not new to us, perhaps, with specific accuracy, but they are sufficiently intelligible. Other points may probably occur to us in the course of our communications.

I must beg to be understood as not entering into any positive engagement limited to the contents of this letter, but so attempting to reduce into some definite form a view which may require much reconsideration before they could be carried into effect. My object is merely to invite discussion, and so to narrow its range as to conduct it, if possible, to some practical and well-considered result.

I have, &c.,
GIESSEL.

No. 2.

Dear Lord Giesels,—Cleveland Row, 30th December, 1867.

Entirely concerning in the general views expressed in your letter of yesterday's date, I proceed to offer some remarks on those parts of it only which, with a view to some practical and well-considered result, seem to require the discussion which you invite.

With respect to the suggestion of a royal charter, to be framed with reference to the precedents of the Colonies established in North America by Great Britain in the sixteenth and seventeenth centuries, although the Association readily adopt your view as to the mode of a delegation of authority, you wish to express them being that it will be necessary, according to the modern law and practice of the Constitution, to obtain a parliamentary sanction of some of the provisions of the charter.

The suggestion contained in paragraph 10, as to the holding of quarterly courts with a view to publicity, appears open to no other objection than that, unless the Government of the Colony be intrusted to a company of speculators or adventurers, as they were sometimes termed in the old charters, it would be difficult to find the materials of a corporate body sufficiently large to insure the desired publicity in this manner. This question, however, depends upon another, to which I will now advert.

I gather from paragraph 15, and some other expressions in your letter, that you would have the Corporation to be founded on a private pecuniary interest in the individuals composing the company. Now to this suggestion, if I have not misunderstood it, there appear several objections. In the first place, nearly all the gentlemen who compose the Committee of the Association, and who would be the first directors of a speculating company, have expressly stipulated that they shall not run any pecuniary risk nor reap any pecuniary advantage from the undertaking; and they would more especially object to any plan by which they should become holders of shares liable to disfranchisement of value in the stock market, a result which, as it appears to me, could not be avoided if the Corporation were founded on a private pecuniary interest. Secondly. Unless the Corporation should engage in private speculation either as buyers of public land or as traders, it appears difficult to say in what way their subscribed capital could be invested; and in whatever way their capital was invested, with a view to the highest profit, it would be still more difficult to prevent their private interests as shareholders from clashing with the public interests as the Government of the Colony may happen. I believe, with respect to many of the old chartering companies in America. Finally. Although the old Colonial charters were founded on a private interest, a better knowledge of political economy in modern times has condemned the practice of placing in the same hands a private interest and a public duty, incompatible with each other, as has been conclusively shown by the recent reform of the East India Company, whereby they are divided of trading character. Lastly. and chiefly, if the corporate government had a private interest, there would be ground for asserting that they had obtained privileges and a monopoly, so that the corporation to the Corporation to others imputations, reasons would be furnished for letting in another set of evils which, we imagine, would result from limiting the territorial extent of jurisdiction awarded to the Colonial Government.
For if the Government were also a speculating company, and their authority extended over the whole of New Zealand, it might be fair to say that they obtained privileges in the nature of a monopoly; whereas if they be but a public corporation, such, for example, as that of the Trinity House, then would the extension of their authority (always with full consent of the Natives) over the whole country be no more than a method adopted by the Supreme Government for regulating British colonization in New Zealand in the best possible way, without privilege, monopoly, or favour to any one, and without any injurious restriction or rivalry.

On the other hand, if the jurisdiction of the Corporation were limited as to territorial extent, and particularly if other governing corporations were established in a country naturally of such limited extent as New Zealand, numerous and grave evils, it appears to me, could not but arise.

The experience of nearly all of the colonizing states of modern Europe, and especially our own experience in America, shows that governing bodies engaged in colonization are apt to regard each other as competitors and rivals, unless they be separated by a great distance. While there are numerous instances of disputes, and some of downright war, between authorities of this kind, the Natives have, I suspect, invariably suffered from such rivalry between competitors of a superior race. In the case of New Zealand, other peculiar mischiefs could not but occur from the existence of rival governments on so limited a territory, or even from having a portion of the territory "tabooed," as it were, against the establishment of British authority.

I allude to the present ragaband colonizers of that country, some of whom are established in the neighborhood of every one of its harbours, and who would either take part with one or other of two rival governments, or who, if British authority were established in some parts of the country, while other parts were precluded, even temporarily, from coming under that authority, would naturally resort in masses to those lawless spots, and by thus concentrating their mischievous power, prove more injurious than ever to the Natives, besides enjoying a sort of immunity in the security of their lawless places of refuge for any outrages that they might commit on the legitimate settlements, or on the traders whose legalized settlements are sure to attract to the coast of New Zealand.

As the words "public auction" appear to have been used but incidentally—perhaps accidentally—in paragraph 10, I will not trouble you with the various objections entertained by the Association to the sale of public land by auction or otherwise than at a fixed and uniform price, but will only refer to the invariable tenor of their previous communications on that point.

My love, &c.,

DURHAM.

No. 3.

The Right Hon. Lord Glenelg, &c., &c.

Dear Lord Durham,—

Downing Street, 8th February, 1848.

From the various communications, both verbal and in writing, which have passed between us regarding the plan for colonizing New Zealand, it is clear that the Association are not prepared to accede to the conditions which the Government think indispensable to the granting of a charter, and especially to that condition which requires a subscribed capital on the part of the Association.

Under these circumstances, I am of course unable to recommend Her Majesty to grant the proposed charter.

I understand, however, the Association now to revert to their original intention of proceeding by a Bill in Parliament, and you ask me whether the Government will oppose the introduction of such a Bill, or will permit it to be introduced for the purpose of insuring in the House of Commons a free and fair discussion of the objects contemplated by the measure. This subject has been considered by the Government, and I am to inform you that they will not oppose the introduction of such a Bill, nor throw any obstacle in the way of the principle and details of the plan being fully brought before the House of Commons and the public. At the same time, in withholding all opposition to the introduction of the Bill, the Government desire it to be distinctly understood that they do not in any degree pledge themselves to the future support of it, but that they hold themselves at liberty to take any course which their interests may in any of the subsequent stages.

I have received within the last few days a Despatch from Sir E. Bulolo, transmitting a Report on the State of New Zealand from Captain Hobson, of Her Majesty's ship "Battleship," with suggestions for a form of government intended to meet the peculiar circumstances in which those countries are now involved.

This Report, which has an important bearing on the subject in which the Association take so much interest, will be laid before Parliament. I enclose a copy of it for your information.

My love, &c.,

The Right Hon. the Earl of Durham, &c., &c.

GLENELG.

No. 4.

Mr. James Stephen to Mr. Backhouse.

Downing Street, 12th December, 1848.

Sir,—

I am directed by Lord Glenelg to request that you will bring under the consideration of Viscount Palmerston the expediency of appointing an officer, invested with the character and powers of British Consul at New Zealand.

The Islands of New Zealand have long been regarded to by British subjects, both as possessing peculiar advantages for refitting whale-ships in the South Seas, and on account of the supplies which they afford of timber, flax, and other articles of value. They have also, from their proximity to the
pendent settlements of New South Wales and Van Diemen's Land, furnished an asylum to fugitive convicts, who, associated with men left in those Islands at different times by the whalers and other vessels, have formed a society much requiring the check of some competent authority.

In consequence of representations from the local authorities of New South Wales, it was thought advisable, in the year 1832, to appoint a person in the character of British Resident at New Zealand. The object in making this appointment was twofold—to repress acts of fraud and aggression practised by British subjects against the Natives, and, by acquiring a beneficial influence over the various chiefs, to protect the lives and properties of British subjects engaged in fair trade with the Natives. The officer so appointed was placed on the Civil Establishment of New South Wales, and wholly under the directions of the Governor of that Colony. Enclosed are copies of the instructions which were furnished to him by Governor Sir E. Broun.

It has happened, however, that the authority of the Resident has, from various causes, proved for the most part inoperative; at the same time, the chiefs generally have assumed a strong disposition to place themselves under British protection. In the year 1835, a declaration was adopted and subscribed by the chiefs of the northern parts of New Zealand, when that country was threatened with aggression by the Baron de Tilly, in which declaration they set forth the independence of their country, and declared the union of their respective tribes into one State, under the designation of the States of New Zealand. They also came to a resolution to send a copy of that declaration to his late Majesty, to thank him for his acknowledgment of their national flag; and to entreat that in return for the friendship and protection which they had shown, and were still prepared to show, to such British subjects as had settled in their country or resorted to it for the purposes of trade, His Majesty would continue to be the parent of their infant State, and its protector from all attempts on its independence.

But the existing arrangement having failed to answer the purposes contemplated in its adoption, Lord Glenelg is of opinion that those purposes will be more effectually attained by the appointment of a British Consul to reside at New Zealand. If Lord Palmerston should concur in this opinion, Lord Glenelg would suggest that his Lordship should communicate with the Lords Commissioners of the Treasury, in order that provision may be made for the appointment, in the estimates for consular establishments. As it will be necessary that the Consul should not be allowed to trade, the amount of his salary will, of course, be fixed, with reference to that circumstance. Hitherto there has been provided annually from the revenue of New South Wales a sum of £200 for the salary of the Resident, and £200 on account of duties of provisions and clothing to the chiefs and Natives generally; but as the object is one of a national character, and not limited to any interest connected with New South Wales, Lord Glenelg does not think the charge of the proposed consular establishment could properly be imposed on the revenue of that Colony, but Lord Glenelg is disposed to think that it will be necessary in the new arrangement to assign a larger sum of £200 for the various disbursements of different kinds which the Consul will be obliged to make.

Lord Glenelg further proposes, that until the state of society in New Zealand shall have become more settled, and until the relations with the Native chiefs shall have been placed on a more permanent footing, the Consul should communicate direct with this Department.

I enclose, for Lord Palmerston's further information, a copy of a Despatch from the Governor of New South Wales, bearing onto the 3th of September, 1837, which covers two reports illustrative of the present state of New Zealand—one from Captain Hobson, commanding Her Majesty's ship "Britannia," the other from the British Resident. 

John Backhouse, Esq.

I have, &c.

JAMES STEERIEE.

No. 5.

Copy of Tuesday Morning, 10th July, 1839, sanctioning an Advance from the Receipts of New South Wales as Consul, &c.

BLAD letter from Mr. Stephen, dated 4th instant, transmitting, by direction of the Marquis of Normanby, for the consideration of this Board, with reference to a communication from his Lordship's Department of 13th ultimo, on the subject of the establishment of some British authority in New Zealand, a letter from Captain Hobson, of the Royal Navy, who is about to proceed to New Zealand as Her Majesty's Consul, and as eventual Lieutenant-Governor of such territory as may be ceded to His Majesty in the New Zealand lands, with an estimate of certain expenses; it will be necessary to incur in respect of this mission, for his passage to those Islands, construction of a residence, presents to Native chiefs, and other incidental charges.

My Lords have before them the letter from Mr. Stephen, of 13th ultimo, advertling to circumstances which had appeared to the Marquis of Normanby and to Viscount Palgrave to force upon Her Majesty's Government the adoption of measures for establishing some British authority in New Zealand, for the government of the Queen's subjects resident in or recording to those islands; and, in the other with proposing that a British Consul should forthwith be despatched to New Zealand; and that, upon occasion being obtained from the Native chiefs of the sovereignty of such territories therein as may be possessed by British subjects, those territories should be added to the Colony of New South Wales as a dependency of that Government; and likewise proposing that the officer about to proceed to New Zealand as Consul should be appointed Lieutenant-Governor of this dependency; and that the expenses which must necessarily be incurred for his passage, and for the purchase and outfitting of such vessels which will be required for the purpose, and for the presents to the Native chiefs, should be defrayed by advances from the funds of the Government of New South Wales, to be hereafter repaid from such revenue as may be raised within the ceded territory by virtue of Ordinances to be issued for the purpose by the Governor and Council of New South Wales, from
which revenue also all other expenses relating to the government of this dependency are to be provided for.

My Lords also refer to the opinion of Her Majesty's law officers, that any territory in New Zealand, of which the sovereignty may be acquired by the British Crown, may lawfully be annexed to the Colony of New South Wales, and that the legislative authority over British subjects inhabiting that territory, and my Lords further refer to the provision made in the estimate for consular services, now before the House of Commons, for the salary of a Consul at New Zealand.

My Lords also read their minute of 21st ultimo, expressing their concurrence in opinion with Her Majesty's Secretary of State, as to the necessity of establishing some component control over British subjects in the New Zealand Islands, and forbade stating that this Board would be prepared, upon the conclusion of a satisfactory convention, to transfer to the British Crown of territories within those Islands which have been or may be acquired by Her Majesty's subjects, under grants from the different chiefs being obtained, to concur in the proposed arrangements for the government of the ceded territory, and for raising a revenue to defray the expense of the establishment it would be necessary to maintain for this purpose.

Write to Mr. Stephens, and, in reply to his further communication of 4th instant, now before this Board, request he will signify to the Marquis of Normanby my Lords' sanction for the advance by the Agent-General for New South Wales, from funds appertaining to the Government of that Colony, of the amount required to defray the expenses of the officer proceeding to New Zealand, as specified in the estimate furnished by Captain Hoban, and submitted to my Lords in Mr. Stephens's letter, with the understanding that such advance is to be repaid from the revenues of the territory if it is proposed to annex it to that Government. But Mr. Stephens will, at the same time, return the minutes of November last, that the proceedings about to be adopted in regard to New Zealand, in the event of the failure of the anticipated cession of sovereignty and of the contemplated revenue, may involve further expenditure from the funds of this country beyond the salary of the Consul already included in the estimate for consular services for the current year, my Lords have considered it necessary that the arrangement should be brought under the cognizance of Parliament; and they have therefore directed that a copy of their minute, giving the sanction now notified to Lord Normanby, shall be laid before the House of Commons.

No. 6.

The Marquis of Normanby to Captain Hoban, R.N.

SIR,—

Your appointment to the office of Her Majesty's Consul at New Zealand having been signified to you by Lord Palmerston, and his Lordship having, in reliance upon my request for your guidance in that character, it remains for me to address you on the subject of the duties which you will be called to discharge, in a separate capacity, and under my own official superintendence.

The acquaintance which your service in Her Majesty's Navy has enabled you to obtain with the state of society in New Zealand relieves me from the necessity of entering on any explanations on that subject. It is sufficient that I should generally notice the fact, that a very considerable body of Her Majesty's subjects have already established their residence and effected settlements there, and that many persons in this kingdom have formed themselves into a society, having for its object the acquisition of land, and the removal of emigrants to those Islands.

Her Majesty's Government have watched these proceedings with attention and solicitude. We have not been insensible to the importance of New Zealand to the interests of Great Britain in Australia, nor unaware of the great natural resources by which that country is distinguished, or of its geographical situation. We have been anxious, therefore, that it should not be left to chance to determine a paramount influence in that quarter of the globe. There is probably no part of the earth in which colonisation could be effected with a greater or surer prospect of national advantage.

On the other hand, the Ministers of the Crown have been restrained by still higher motives from engaging in such an enterprise. They have deferred to the advice of the Committee appointed by the House of Commons in the year 1830 to inquire into the state of the Aboriginals residing in the vicinity of our Colonial Settlements; and having concurred with that Committee in thinking that the increase of national wealth and power—promised by the acquisition of New Zealand, would be a most inadequate compensation for the injury which must be inflicted on this kingdom itself, by embarking in a measure essentially unjust, and but too certainly fraught with calamity to a numerous and inoffensive people, whose title to the soil and to the sovereignty of New Zealand is indisputable, and has been solemnly recognised by the British Government. We retain these opinions in unaltered force; and though circumstances entirely beyond our control have lengthened up to this our course, I do not scruple to warn that we depart from it with extreme reluctance.

The necessity for the interposition of the Government has, however, become too evident to admit of any further inaction. The reports which have reached this office within the last few months establish the facts, that about the commencement of the year 1838 a body of not less than two thousand British subjects had become permanent inhabitants of New South Wales; that amongst them were many persons of doubtful character—convicts who had fled from our penal settlements, or seamen who had deserted their ships; and that these people, unrestrained by any law, amenable to no tribunals, were alternately the authors and the victims of every species of crime and outrage. It further appears that extensive cessions of land have been obtained from the Natives, and that several hundred persons have recently settled from this country to occupy and cultivate those lands. The spirit of adventure having thus been effectually fostered, it can no longer be doubted that an extensive settlement of British subjects will be rapidly established, and conducted, in accordance with their own instructions, by them; that these instructions, in that quarter of the globe, the same process of war and spoliation under which uncivilised tribes have almost invariably
disappeared as often as they have been brought into the immediate vicinity of emigrants from the nations of Christendom. To mitigate and, if possible, to avert these disasters, and to remove the emigrants themselves from the evils of a lawless state of society, it has been resolved to adopt the most effective measures for establishing amongst them a settled form of civil government. To accomplish this, it has been determined to proceed on the plan of voluntary association, as far as circumstances will admit.

I have already stated that New Zealand is a sovereign and independent state, so far as it is possible to make that acknowledgment in favour of a people composed of numerous, dispersed, and petty tribes, who possess few political relations to each other, and are incompetent to act, or even to deliberate, in concert. But the admission of their rights, though inevitably qualified by this consideration, is binding on the faith of the British Crown. The Queen, in common with Her Majesty's subjects in every other country, is the head of the nation, and may be supposed to control and to hold in subjection, as an integral part of the British Empire, every one of the tribes in New Zealand, or to govern them as a part of the dominion of Great Britain, unless the free and intelligent consent of the Natives, expressed according to their established usages, shall be first obtained. Believing, however, that their own welfare would, under the circumstances I have mentioned, be best promoted by the surrender to Her Majesty of a right now so precarious, and little more than nominal, and persuaded that the benefits of British protection, and of laws administered by British judges, would far more than compensate for the sacrifices by the Natives of a national independence which they are no longer able to maintain, Her Majesty's Government have resolved to authorize you to treat with the aborigines of New Zealand for the recognition of Her Majesty's sovereign authority over the whole or any part of those islands which they may be willing to place under Her Majesty's dominion. I am not unaware of the difficulty by which such a treaty may be encountered. The motives by which it is recommended are, of course, open to suspicion. The Natives may probably regard with distrust a proposal which may carry on the face of it the appearance of humbleness, respect, and good intentions, when in reality it may be intended to restrict them to technical terms in which that proposal must be conveyed may enhance their aversion to an arrangement of which they may be unable to comprehend the exact meaning, or the probable results. These, however, are impediments to be gradually overcome by the exertions, or your part, of mildness, justice, and perfect accuracy in your intercourse with them. You will, I trust, find powerful auxiliaries amongst the missionaries, who have won and deserved their confidence, and amongst the older British residents who have studied their character and acquired their language.

It is almost superfluous to say that, in selecting you for the discharge of this duty, I have been guided by a firm reliance on your uprightness and plain dealing. You will therefore frankly and unrestrainedly explain to the Natives, or their chiefs, the reasons which should urge them to acquiesce in the proposals you will make to them. Especially you will point out to them the dangers to which they may be exposed by the residence amongst them of settlers amenable to no laws or tribunals of their own, and the imposibility of Her Majesty's extending to them any effectual protection unless the Queen be acknowledged as the sovereign of their country, or at least of those districts within or adjacent to which Her Majesty's subjects may acquire lands or habitations. If it should be necessary to propitiate their consent by presents or other pecuniary arrangements, you will be authorized to advance at once, to a certain extent, in meeting such demands; and beyond these limits, you will reserve and refer them for the decision of Her Majesty's Government.

It is not, however, in the mere recognition of the sovereign authority of the Queen that your endeavours are to be confined, or your negotiations directed. It is further necessary that the chiefs should be induced, if possible, to contract with you, as representing Her Majesty, that henceforward no lands shall be ceded, either gratuitously or otherwise, except to the Crown of Great Britain. Contemplating the future growth and extension of a British colony in New Zealand, it is an object of the first importance that the alienation of the unoccupied lands within the limits should be conducted, from its commencement, upon that system of sale of which experience has proved the wisdom, and the disregard of which has been so fatal to the prosperity of other British settlements. With a view to those important objects, and the wants and needs of the new colony, the British Government, or by purchases effected on nominal considerations from the aborigines. On either supposition the land revenue must be wasted, the introduction of emigrants delayed or prevented, and the country parcelled out amongst large landholders, whose possessions must long remain an unprofitable, or rather a pernicious, waste. Indeed, in the comparison of the two methods of acquiring land gratuitously, that of grants from the Crown, miscellaneous as it is, would be the less inconvenient, as such grants must be made with at least some kind of system, with some degree of responsibility, subject to some conditions, and recorded for general information. But in the case of purchases from the Natives, even those securities against abuse must be omitted, and none could be substituted for them. You will, therefore, immediately on your arrival, announce, by a Proclamation addressed to all the Queen's subjects in New Zealand, that Her Majesty will not acknowledge as valid any title to land which either has been, or shall hereafter be, acquired in that country which is not either derived from, or confirmed by, a grant to be made in Her Majesty's name, and on her behalf. You will, however, at the same time, explain the reasons why certain limitations which may be created in the lands of the settlers that it is intended to dispose of the owners of any property which has been acquired on equitable conditions, and which is not upon a scale which must be prejudicial to the latent interests of the community.

Extensive acquisitions of such lands have undoubtedly been already obtained, and it is probable that, before your arrival, a great addition will have been made to them. The embarrassments occasioned by such claims will demand your earliest and most careful attention.

I shall, in the sequel, explain the relation in which the proposed Colony will stand to the Government of New South Wales. Prospective you may reconcile to have recourse necessary for overcoming the difficulty I have mentioned. The Governor of that Colony will, with the advice of the Legislative Council, be instructed to appoint a legislative commission to investigate and ascertain what are the lands in New Zealand held by British subjects under grants from the Natives, how far such grants were lawfully acquired and ought to be respected, and what may have been the price, or other
valuable considerations given for them. The Commissioners will make their report to the Governor, and it will then be decided by him how far the claimants, or any of them, may be entitled to confirmatory grants from the Crown, and on what considerations such confirmations ought to be made.

The propriety of immediately subjecting to a small annual tax all uncultivated lands within the British Dominions in New Zealand will also engage the immediate attention of the Governor and Council of New South Wales. The forfeiture of all lands, in respect of which the tax shall remain for a certain period in arrear, would probably, before long, restore to the domain of the Crown so much of the waste land as may be held, unprofitably to themselves and to the public, by the actual claimants.

Having, by these methods, obviated the dangers of the acquisition of large tracts of country by mere land-jobbers, it will be your duty to obtain, by fair and equal contracts with the Natives, the consent of the people to the proposal, and to make arrangements for the repatriation of the settlers according to New Zealand. All such contracts should be made by yourself, through the intervention of an officer expressly appointed to watch over the interests of the aborigines as their protector. The re-sales of the first purchases that may be made will provide the funds necessary for future acquisitions; and, beyond the original investment of a comparatively small sum of money, no other resource will be necessary for this purpose. I thus assume that the prior will be paid to the Natives by the local Government will bear an exceedingly small proportion to the price for which the same lands will be re-sold by the Government to the settlers.

Nor is there any real injustice in this inequality. To the Natives or their chiefs much of the land of the country is of no actual use, and, in their hands, it possesses scarcely any exchangeable value. Much of it must long remain useless, even in the hands of the British Government, also; but its value in exchange will be first created, and then progressively increased, by the introduction of capital and of settlers from this country. In the meantime, the Natives themselves will gradually participate in the benefits of an improvement of their land, and their transactions must be conducted on the same principles of sincerity, justice, and good faith, as must govern your transactions with them for the recognition of Her Majesty's sovereignty in the Islands. Nor is this all: they must not be permitted to enter into any contracts in which they might be the ignorant and unintentional authors of injuries to themselves. You will not, for example, purchase from them any territory the retention of which by them would be essential or highly conducive to their own comfort, safety, or subsistence. The acquisition of land by the Crown for the future settlement of British subjects must be confined to such districts as the Natives can abandon without distress or serious inconvenience to themselves. To secure the observance of this, will be one of the first duties of your official protector.

There are yet other duties owing to the aborigines of New Zealand, which may be all comprised in the comprehensive expression of promoting their civilization,—understanding by that term whatever relates to the religious, intellectual, and social advancement of mankind. For their religious instruction, liberal provision has already been made by the seat of the missionaries, and of the missionary societies in this kingdom; and it will be at once the most important and the most grateful of your duties to this ignorant race of men to afford the utmost encouragement, protection, and support, to their Christian teachers. I acknowledge, also, the obligation of rendering to the missions such pecuniary aid as the local government may be able to afford, and as their increased labours may reasonably entitle them to expect. The establishment of schools for the education of the aborigines in the elements of literature will be another object of your solicitude; and until they can be brought within the pale of civilized life, and trained to the adoption of its habits, they must be carefully deforested in the observance of their own customs, so far as these are compatible with the universal maxims of humanity and morals. But the savage practices of human sacrifice, and of cannibalism, must be promptly and decisively interdicted. Such atrocities, under whatever plea of religion they may take place, are not to be tolerated within any part of the dominions of the British Crown.

It remains to consider in what manner provision is to be made for carrying these instructions into effect, and for the establishment and exercise of your authority over Her Majesty's subjects who may settle in the colony as it is formed. The necessity for this being placed before the House of Lords, it was thought that it would be well to procure a Constitution for the proposed Colony at a very early period; that the time might be spared for the same purpose as the House of Commons, at the instance of some persons immediately connected with the emigrants then contemplated. The same subject was carefully examined by a Committee of the House of Lords. But the common result of all inquiries, both in this office and in either House of Parliament, was to show the impenetrability of the schemes proposed for adoption, and the extreme difficulty of establishing at New Zealand any institutions, legislative, judicial, or fiscal, without some more effectual control than could be found amongst the settlers themselves in the infancy of their settlement. It has therefore been resolved to place whatever territories may be acquired in sovereignty by the Queen in New Zealand in the relation of a dependency to the Government of New South Wales. I am of course fully aware of the objections which may be reasonably urged against this measure; but, after the most ample investigation, I am convinced that, for the present, there is no other practical course which would not be opposed by difficulties still more considerable, although I trust that the time is not distant when it may be proper to establish in New Zealand itself a local legislative authority.

In New South Wales there is a colonial government, possessing a comparatively long experience, sustained by a large revenue, and constituted in such a manner as is best adapted to enable the legislative and executive authorities to act with promptitude and decision. It presents the opportunity of bringing the internal economy of the proposed new Colony under the constant revision of a power sufficiently powerful, and sufficiently们都 to be removed from the influence of the passions and prejudices by which the first colonists must, in the commencement of their enterprise, be agitated.

It is impossible to confide to an indiscriminate body of persons, who have voluntarily settled themselves in the immediate vicinity of the numerous population of New Zealand, those large and irresponsibility powers which belong to the representative system of colonial government. Nor is that system
adapted to a colony struggling with the first difficulties of its new situation. Whatever may be the ultimate form of government to which the British settlers in New Zealand are to be subject, it is essential to their own welfare, not less than to that of the aborigines, that they should be placed under a rule which is as once effective, and to a considerable degree external.

The accompanying copy of the laws of New South Wales will not, however, involve the extension to New Zealand of the character of a penal settlement. Every motive counsels in forbidding this; and it is to be understood as a fundamental principle of the new colony, that no convict is ever to be sent thither to undergo his punishment.

The accompanying copy of my correspondence with the law officers of the Crown will explain to you the grounds of law on which it is concluded, that, by the annexation of New Zealand to New South Wales, the powers vested by Parliament in the Governor and Legislative Council of the older settlement will continue over the new territory. The right to remove the heads of the accompanying commission, under the great seal, will give effect to this arrangement; and the warrant, which I enclose, under Her Majesty's sign manual, will constitute you Lieutenant-Governor of that part of the New South Wales Colony which has thus been extended over the New Zealand Islands. These instriments you will deliver to Sir George Gipps, who, on your proceeding to New Zealand, will place them in your hands to be published there. You will then return them to him to be deposited among the archives of the New South Wales Government. In the event of your death or absence, the officer administering the government of New South Wales will, provisionally, and until Her Majesty's pleasure can be known, appoint a Lieutenant-Governor in your place, by an instrument under the public seal of his Government.

It is not, for the present, proposed to appoint any subordinate officers for your assistance. That such appointments will be indispensable is not, indeed, to be doubted. But I am unwilling to advance at this early stage any scheme which shall detract from the Ministry of the Crown, independent of all on this subject. You will confer with Sir George Gipps upon the number and the nature of the official appointments which should be made at the commencement of the undertakings, and as to the proper rate of their emoluments. These must be fixed with the most anxious regard to frugality in the expenditure of the public resources.

The selection of the individuals by whom such offices are to be borne must be made by yourself, from the colonists either of New South Wales or New Zealand, upon the full and distinct understanding that they are in office, and from the existence of the offices which they are to hold, must be provisional, and dependant upon the future pleasure of the Crown. Amongst the officers thus to be created, the most evidently indispensable are those of a judge, a public prosecutor, a protector of aborigines, a colonial secretary, a treasurer, a surveyor-general of lands, and a superintendent of police. Of these the Judge alone will require the enactment of a law to create and define his functions. The Act now pending in Parliament for the revival, with amendments, of the New South Wales Act will, if passed into a law, enable the Governor and Legislative Council to make all necessary provisions for the establishment in New Zealand of a court of justice and a judicial system, separate from, independent of the existing Supreme Court. The other functions I have mentioned can be appointed by the Governor in the united exercise of the delegated prerogative of the Crown.

Whatever laws may be required for the government of the new Colony will be enacted by the Governor and Legislative Council. It will be his duty to bring under their notice such recommendations as you may see cause to convey to him upon subjects of this nature.

The system established in New South Wales of a revenue being raised to defray the expenses of the Government of the proposed settlements in New Zealand has not, of course, escaped my careful attention. Having consulted the Lords of the Treasury on this subject, I have arranged with their Lordships that, until the sources of such a revenue shall have been set in action, you should be authorized to draw on the Government of New South Wales for your unremitted expenditure. Separate accounts, however, will be kept of the public revenue of New Zealand, and of the application of it; and whatever debt may be contracted to New South Wales must be replaced by the earliest possible opportunity. Duties of this nature are, of course, not to be charged to any or any other taxation; and such duties, except on spirits, will probably be of a very moderate amount.

The system established in New South Wales regarding land will be applied to all the waste lands which may be acquired by the Crown in New Zealand. Separate accounts must be kept of the land revenue, subject to the necessary deductions for the expense of surveys and management, and for the improvement by roads and otherwise, of the unoccupied territory; and, subject to any deductions which may be required to meet the indispensable exigencies of the local government, the surplus of this revenue will be applicable, as in New South Wales, to the charge of removing emigrants from this kingdom to the new Colony.

The system established in New South Wales to provide for the religious instruction of the inhabitants has so fully justified the policy by which it was dictated, that I could suggest no better means of providing for this all-important object in New Zealand. It is, however, gratifying to know that the spiritual wants of the settlers will, in the commencement of the undertakings, be readily and amply provided for by the missionaries of the Established Church of England, and of other Christian communions, who have been so long settled in those islands. It will not be difficult to secure for the European inhabitants some portion of that time and attention which the missionaries have hitherto devoted exclusively to the aborigines.

I enclose for your information and guidance copies of a correspondence between this Department and the Treasury, referring you to Sir George Gipps for such additional instructions as may enable you to give full effect to the views of Her Majesty's Government on the subject of finance. You will observe that the general form of arrangement of the financial accounts in the proposed Colony a system of separate and distinct accounts entirely separate from that of New South Wales, though corresponding with it as far as that correspondence can be maintained.

The accompanying volume of rules and regulations for the colonial service will place you in possession of many details for the guidance of your official conduct. You will, however, understand
that so much of that volume as relates to correspondence with this Department will not be strictly applicable to your situation. Your correspondence with myself will, as far as may be practicable, be carried on through the Governor of New South Wales; you will, in fact, be one of the officers of that Government, and you will apply to the head of it for instructions in all those cases in which he would himself apply to Her Majesty’s Government in this country. This rule, however, is not to be so strictly construed as to prevent your transmitting to me direct reports of any occurrences of which Her Majesty’s Government should be informed, as often as opportunities may occur of communicating with this country more rapidly than such communications could be made through Sydney, and whenever the occasion shall appear to you of sufficient importance to justify this deviation from the general rule. It will, however, be your duty to transmit to the Governor copies of all Despatches which you may take occasion to address to this office. He also will convey to me transcripts of all his correspondence with you by the first opportunity which may present itself after any branch of that correspondence has reached its close.

I have thus attempted to touch on all the topics on which it seems to me necessary to address you, on your departure from this country. Many questions have been unavoidably passed over in silence, and others have been adverted to in a brief and cursory manner, because I am fully impressed with the conviction, that in such an undertaking as that in which you are about to engage much must be left to your own discretion, and many questions must occur which no forethought could anticipate or properly receive beforehand.

Reposing the utmost confidence in your judgment, experience, and zeal for Her Majesty’s service, and aware how powerful a conductor and how able a guide you will have in Sir G. Gipps, I willingly leave for consultation between you and subjects on which I feel my own incompetency at this distance from the scene of action to form an opinion.

I am, Sir, your obedient servant,

C. Hobson, R.N.

No. 7.

C. Hobson to the Under Secretary of the Colonial Department.

Sir,— In order to avoid any misunderstanding of the views of Government in respect of the duties confided to me as Councillor and Lieutenant-Governor of New Zealand, I have the honor to call your attention to some passages of my instructions, upon which I beg the favor of further explanation.

To facilitate a reference to this document, I have numbered the paragraphs in pencil from 1 to 40, commencing at the close of the preamble.

The first paragraph, according to that arrangement, relates to the acquisition of the sovereign rights by the Queen over the Islands of New Zealand, and appears to have reference to other instructions, some of which I may expect to receive from Lord Palmerston. Under this head I perceive that a distinction is made between the Northern and Southern Islands of New Zealand, although their relations with this country, and their respective advancement towards civilization, are essentially different.

The declaration of the independence of New Zealand was signed by the united chiefs of the Northern Island only (in fact, only of the northern part of that Island), and it was to them alone that his late Majesty’s letter was addressed on the presentation of their flag; and neither of these instructions had any application whatsoever to the Southern Islands. It may be of great importance to keep this distinction in view—not as regards the Natives, towards whom the same measure of justice must be dispensed, however their allegiance may have been obtained, but as it may apply to British settlers, who claim a title to property in New Zealand, as in a free and independent state.

I need not exemplify here the uses that may hereafter be made of this distinction in their condition; but it is obvious that the power of the Crown may be exercised with much greater freedom in a country where it possesses all the rights that are usually assumed by first discoverers, than in an adjoining state, which has been recognized as free and independent. In the course of my negotiations, too, my proceedings may be greatly facilitated by availing myself of this disparity; for, with the wild savages in the Southern Islands, it appears scarcely possible to observe even the form of a treaty, and there I might be permitted to plant the British flag in virtue of those rights of the Crown to which I have alluded.

The 2nd and 3rd clauses are quite explicit; but I beg to suggest that the Proclamation to be issued on my landing be drafted in this country, in order to convey exactly the views of the Government, and to guard against misconception.

In the 4th clause my attention is directed to the acquisition of lands by British subjects; and in the following clause, the whole power of interference is conceded to Commissioners, who are to be appointed in New South Wales, and who are to report their proceedings to Sir George Gipps. I do not disapprove of this regulation, but, on the contrary, I am glad to be relieved from all interference in matters of detail, and I have a tendency to place me at issue with so large a number of persons over whom I am appointed to preside; but I am at a loss to know what point I am to direct my attention, beyond the mere preservation of the peace.

The 6th clause is quite understood. In the latter part of the 7th and in the 8th clause allusion is made to the Protector of Aborigines. Were the functions of this officer confined to the protection of the Natives from physical injury or injustice, there could not be two opinions on the subject of his duties. But matters which relate to their general welfare, he and I, with equal zeal in their cause, may entertain very different ideas. I sincerely hope that the duties of this officer may be exactly defined, and that the Government may be secured from the effect of capricious opposition.

To the missionaries may be safely confided the religious instruction of the Natives. But I cannot bring myself to believe that they will consent to give any position of the time they have hitherto devoted exclusively to that object for the benefit of British subjects.

In this part of my instructions I am likewise directed "to interdict the savage practices of
cannibalism and human sacrifice." May I request more explicit instructions on this important subject? Shall I be authorized, after the failure of every other means, to repress these diabolical acts by force? And what course am I to adopt to restrain the less savage Native wars, or to protect tribes who are oppressed (probably for becoming Christians) by their more powerful neighbours?

Clause 10 and 11 relate to the form of government under which New Zealand is to be colonized.

Clause 12 forbids the introduction of convicts. There is nothing I would more regret than the extension to New Zealand of the character of a penal settlement; but I do think, with every possible deference for the superior judgment that dictated the prohibition, that convict labour on roads and public works, under the direction of Government, may be most beneficially applied. At the Mauritian, Indian convicts are so employed, and the great prosperity of that Colony is mainly attributable to the facility of communication in all parts of the Island that is thus obtained. Such will be the demand for labour in New Zealand, that I despair of getting roads made without the aid of convicts.

Clause 13 relates to the commission under the Great Seal addressed to Sir George Gipps, and to my warrant as Lieutenant-Governor. May I request to be informed if I have the power, whilst holding a warrant as Lieutenant-Governor under the Governor of New South Wales, to appoint or suspend magistrates, to enjoin and call out militia, or to direct the movements of the military forces? If I do not possess this power in virtue of my warrant from the Crown, it will be highly essential that provision should be made by the Governor and Legislative Council of New South Wales to vest me with authority on these important matters.

Clause 14 provides for the appointment of public officers of my selection by the Governor of New South Wales, and refers to the establishment in New Zealand of a Court of justice and a judicial system. It should be informed in this case, as in the last, whether in my subordinate capacity as Lieutenant-Governor I am authorized to execute or remit the punishment of criminals?

Clause 15 relates to the revenue, and recommends, amongst other duties, one 1/4d tobacco. It should be re-collected that tobacco is at present almost the circulating medium; and a duty on it will bear very hard upon the Natives, who indulge freely in its use. And as this people will naturally estimate our interference with their country by its first practical results, I fear they will look upon us with distrust or suspicion if they suffer any inconvenience from our enactments.

Clause 16, regarding waste lands, is very clear and satisfactory.

Clause 17 relates to the religious instruction and the spiritual wants of the British settlers in New Zealand. I trust if it shall be found that the missionaries have already full occupation, and if, as I have before observed, they object to withdraw any part of their attention from the duties they have hitherto discharged, that an early provision may be made for these important objects by the appointment of chaplains and teachers from New South Wales.

The concluding part of my instructions is perfectly clear and explicit. There are one or two subjects that have not been noticed, which I hope may still engage the attention of the Secretary of State. No alliance has been made to a military force, nor has any instruction issued for the arming and equipping of militia. The presence of a few soldiers would check any disposition to revolt; and would enable me to forbid a应在 forme to those inhuman practices I have been ordered to restrain. The absence of such support, on the other hand, will encourage the disinclined to resist my authority, and may be the means of causing on me eventually difficulties that I am unwilling to contemplate.

I have, &c.,

W. HUMPHREY.

To the Under Secretary of State,
Colonial Department.

No. 8.

The Marquis of Normandy to Captain Horner.

Downing Street, 15th August, 1839.

Mr. Labouchere has laid before me your letter to him of the instant, requesting an explanation of some questions which have occurred to you on the perusal of my letter of instructions.

I have to return the following answer to your inquiries:

It is understood that I have made respecting the independence of the people of New Zealand relative, as you correctly suppose, to the tribes inhabiting the Northern Island only. Our information respecting the Southern Island is too imperfect to allow me to address to you any definite instructions as to the course to be pursued there. If the country is really, as you suppose, uninhabited, except but by a very small number of persons in a savage state, incapable from their ignorance of entering intelligently into any treaty with the Crown, I agree with you that the ceremonial of making such engagements as are important and necessary is impracticable; and that circumstances noticed in my instructions may perhaps render the occupation of the Southern Island a matter of necessity, or of duty to the Natives. The only chance of an effective protection will probably be found in the establishment by treaty, if that be possible, or if not, then in the ascension, on the ground of discovery, of Her Majesty's sovereign rights over the Island. But in my invariable ignorance of the real state of the case, I must refer the decision in the first instance to your own discretion, aided by the advice which you will receive from the Governor of New South Wales.

2. I recur, according to your desire, to draft of the Proclamation to be addressed to the Queen's subjects at New Zealand, referring, however, to Sir George Gipps and to yourself to introduce any alterations which the facts of the case, when more closely ascertained, may appear to you and to him to prescribe.

3. It is my intention that the Governor of New South Wales, or the Commissioners, to be appointed by him, should conduct the whole investigation and settlement of the questions regarding lands which may have been occupied by British subjects, and that you should be thus rescued from a position which might otherwise bring you into unfriendly relations with large numbers of those over whom you would be called to preside.
4. The Protector of Aborigines cannot be brought into any relation to you which would throw any doubt on the respective limits of your authority and his, because he would be, in the fullest sense of the term, your subordinate officer, yielding implicit obedience to all your lawful instructions, and reporting to you all his proceedings.

5. If the missionaries should not ultimately be able to undertake the religious instruction of their fellow-countrymen, measures must of course be taken to supply the religious wants of the future Colony. But in the uncertainty under which Her Majesty's Government are at present compelled to act, I think it more safe to rely on the temporary assistance of the various missions in the Island, than to embark in any ecclesiastical arrangements which might ultimately be impossible to complete, and the non-fulfilment of which might involve the ruin of any clergyman embarking in them.

6. It is impossible for me to prescribe the course to be pursued for the prevention of cannibalism human sacrifice, and warfare among the Natives tribes. But I have no difficulty in stating that, if all the arts of persuasion and kindness should prove unavailing, practices so abhorrent from the first principles of morality, and so calamitous to those by whom they are practised, should be repudiated by authority, and, if necessary, by actual force, within any part of the Queen's dominions. I am, however, convinced that habits so repugnant to our common nature as cannibalism and human sacrifice may be checked with little difficulty, because the opposition to them will be succeeded by feelings which are too deeply rooted in the minds of all men, the most ignorant or barbarous not excepted, to be eradicated by any custom howeveravorite, or by any errors of opinion however widely diffused. The New Zealanders will probably yield a willing assent to your admonitions, when taught to perceive with what abhorrence such usages are regarded by civilized men.

7. However numerous the advantages may be derived from convict labour, the benefit is purchased at last at so heavy a price, that, even if the welfare of the Colony were alone in question, I should regard the establishment of a penal settlement as a most chivalric policy. But when I advert to the effect of that measure on the aborigines, and on the administration of the criminal law in this kingdom, the opposition to it is fixed and unalterable.

8. All the powers necessary for the proper conduct of your office will be conferred on you by acts of the Governor or Legislature of New South Wales, who will also make the necessary provision for the establishment of Courts of justice and a judicial system in New Zealand.

9. The Governor and Council will deliberate with you on the proper articles on which to impose import duties. It is a question of which I must refer, in the first instance, to their judgment.

Lastly, I am perfectly aware of the great advantage which you might derive from a military force, and of the inconvenience to which the want of it may expose you. This, however, is a difficulty which must be encountered. It is impossible, at the present time, to detach any of Her Majesty's troops to New Zealand, nor can I foresee any definite period at which it will be practicable to supply that deficiency. It will probably, therefore, be necessary to raise a militia, or to embody an armed police. But this is among the questions which must be reserved for consideration after your arrival, and upon which it will be your duty to consult with the Governor of New South Wales.

I am, etc.,

Captain Hobson, R.N.

No. 9.

Mr. SOMERS to LORD PALMERSTON.

New Zealand Land Company's Office, Adelaide,

Mr. Lord—

In the absence of the Governor of the New Zealand Land Company, I, as Deputy Governor, and on behalf of the Board of Directors, have the honor to address your Lordship on a subject of much national importance, which belongs to the Foreign Department of Her Majesty's Government.

If your Lordship is not already aware of the fact, it is proper that I should inform you at the outset that the Colonial Office refuses to hold any communication with, or in any way to recognize, the existence of the New Zealand Land Company. We are totally at a loss to conjecture for what reason. The Company has been formed in the usual manner, possesses a paid-up capital exceeding four millions of the capital subscribed, and has complied with every other condition of a joint-stock co-partnership. Its existence as a Company is not less certain and complete in law, as well as in fact, than that of the Bank of England or any private bank; yet the Colonial Department seems to deny our existence, even to the extent of corresponding on subjects relating to the co-partnership, by letters addressed to individual partners at their private residences, as if the consent or recognition of that Department were necessary to the existence of a joint-stock partnership in this free and commercial country. We imagine, therefore, that the Colonial Department is extremely hostile to the objects for which the Company was formed.

But even on this point we are left in some doubt, insomuch as Lord Glenelg, when Secretary of State, offered to some of us a royal charter of incorporation as a company for colonizing New Zealand; and his successor, Lord Norrnabnry, recently expressed to a deputation from our body, of which I was one, his Lordship's great satisfaction at finding that the colonization of New Zealand had been undertaken by such a body of gentlemen as those who compose the direction of the Company. Indeed, I proceed to explain nothing to your Lordship. My sole purpose in alluding to the subject here is to make sure that you should be acquainted with the footing on which this Company stands with another branch of the Executive Government.

Notwithstanding these facts, I am under the necessity of addressing your Lordship as the organ of a legally constituted and undeniable Company. My object in so doing is respectfully to call your Lordship's attention, as Her Majesty's adviser on foreign affairs, to the question of the sovereignty of the Island of New Zealand.

We are assured that this question engages the attention of various commercial bodies, and of a large portion of the public press in France; that the sovereignty of England in New Zealand...
is denied; that the French Government is urged either to join in that declart, by seeking against the colonization of the Islands by England, or to claim an equal right with England to plant settlements there. We are act without fear that some protest or claim should be submitted by your Lordship’s Department, or that it may have been already submitted by the Colonial Department; and we are the more disposed of laying the following statement before your Lordship.

It appears that the situation of this question in France has been produced by the publication of a Minute of the British Treasury, made at the instance of the Colonial Department, and bearing date the 19th of July last, and also of an extract from certain instructions recently given by that Department to Captain Hobson—two documents by which the Crown of England seems to repudiate the sovereignty of New Zealand. The apparent repudiation consists of an acknowledgment on the part of Captain Hobson, in instructions given to him, if possible, a concession thereof to Her Majesty. It is this acknowledgment, according to all our information, which has given occasion to the protests now urged in France. That which England, it is contended, instructs her officer to procure, if possible, she admits that she does not possess, and she thereby admits the right of France either to claim sovereign jurisdiction in New Zealand by the means which Captain Hobson is directed to employ, or, if France should prefer that course, to sustain the independent sovereignty of the Natives. The argument appears conclusive. It becomes very necessary, therefore, if it is of great importance to England to prevent the establishment of a French power in the midst of the English colonies of Australia, that your Lordship should be made aware of the acts of the British Crown, which lead to a conclusion directly at variance from that which may be drawn from the said minute and instructions.

The sovereignty of England in New Zealand has been once and over again asserted and asserted. Whether it could be so: before abandoned by such documents as the Treasury minute and instructions is a question in constitutional and international law on which your Lordship is, of course, far more competent to judge than we can pretend to be. But that there recently was a British sovereignty, either to maintain or to abandon, we have no sort of doubt.

By the year 1870, Captain Cook, acting under a commission from the Crown of England, took possession of the Islands of New Zealand in the name of His Majesty George the Third. This act was performed in the most formal manner, and was published to the world. We are aware that it was ever since denied that it was ever so performed. The law of nations, we believe, recognizes no other mode of assuming dominion in a country of which the inhabitants are so barbarous as to be ignorant of the meaning of the word sovereignty, and therefore incapable of ceding sovereign rights. This was the case with the New Zealanders, from whom it would have been impossible for Captain Cook to have obtained, except in mockery of the truth, a British sovereignty by cession. Sovereignty by possession is that which the British Crown maintains in a large portion of its foreign possessions.

By the year 1873 a royal commission was granted to Captain Phillip, appointing him, in pursuance of the British sovereignty in possession which had previously been established by Captain Cook, "Captain-General and Governor-in-Chief in and over the territory of New South Wales and its dependencies." This territory was described in the commission as "extending from Cape York, latitude 11° 37' south, to the South Cape, latitude 40° 30' south; and inland to the westward as far as 135° east longitude, comprehending all the islands adjacent in the Pacific Ocean within the latitudes of the above-named cape." This is the act by which the Crown at first assumed the government of New South Wales and the other barbarous lands of which Captain Cook had taken possession in the name of the King. The Islands of New Zealand are as clearly within the prescribed limits as Norfolk Island, Van Diemen’s Land, or even New South Wales itself.

On the 9th of November, 1824, the Governor and Captain-General of New South Wales and its dependencies, acting on the representation of the Crown, by public proclamation declared New Zealand to be under the government of the King, and by regular commission of "regio dominium," appointed justices of the peace to act there. Some of the magistrates so appointed were aboriginal natives of the country. It is plain that they were trusted as British subjects. In 1819, again, Governor Macquarie appointed an English magistrate in New Zealand. This justice of the peace exercised the authority so bestowed on him, by apprehending offenders and sending them for trial to the seat of Government.

In 1823, a British Act of Parliament (4 Geo. IV. cap. 97) extended the jurisdiction of the Courts of New South Wales to New Zealand, and also to other places in the Southern Pacific not within the latitudes previously mentioned. Under this authority several persons, we understand, have been tried in New South Wales for offences committed in New Zealand; and we have been informed that property in New South Wales, as well real as personal, has been made the subject of the bankrupt law of New South Wales.

The authority of the British Crown was frequently enforced by means of ships of war. And, although it cannot be asserted that regular government was ever established in New Zealand, far more than we can assert to the contrary, it may seem to be a disputed question.

The Islands thus continued in the state of a dependency until the year 1831, when a notice of proceedings commenced by which the sovereignty of Britain may perhaps have been forfeited. An officer was appointed to reside at the Bay of Islands. He presented to certain Native chiefs, as from the Crown of England, what was termed "a National Flag." This might have been considered a transfer to these chiefs of the British sovereignty, if the Resident had not been "accustomed" to certain officers of the kind. By the treaty of Waitangi, the sovereignty of the Islands would almost seem to have been transferred to these missionaries. But in October, 1836, this diplomatic agent assembled certain Native chiefs residing in the northern part of the North Island, called them a conference, and sanctioned a declaration of Native independence, to which their names were appended.

This last act appears, by all accounts, to have been more mockery of its successful purport. The tribes of New Zealand are so entirely distinct, so utterly destitute of nationality, and so have no name for the whole country which they inhabit. A national name was invented for this occasion—the words "Nia Teemi," which express the native pronunciation of the English words "New Zealand."
only parties besides to the so-called declaration of independence were the chiefs of a few tribes then inhabiting a small part of one of the islands. These even, insomuch as their language contains no words to express nationality, sovereignty, or independence, must have been unconscious instruments of the Resident, or of the missionaries to whom that office was accredited, as if they had been the sovereigns of New Zealand. If, indeed, the sovereignty was delegated to the missionaries, they could, being British subjects, have held it but as trustees for the Crown. If the sovereignty of the Natives was then acknowledged, it extended only to the small part of one island inhabited by the parties to the declaration. And, in either case, this mockery of an independent sovereignty has been set at naught by the power in whose name it took place, insomuch as the jurisdiction of British law, and the armed authority of British ships of war, have been exercised since, in the same way as before, the Bay of Islands declaration of independence.

I beg leave to assure your Lordship, in the name of my colleagues, that we intrust on you with the greatest reliance. But we have felt that it was incumbent on us, especially during the recess of Parliament, to convey to your Lordship the information that we have received as to the state of feeling in France upon this subject; so that if unadvisedly the British sovereignty of New Zealand were lost, it should be through no fault of ours. We fear that the measures recently adopted by the Colonial Departments may, unless promptly remedied, lead to very disastrous results. We are deeply concerned for the fate of a large and most respectable body of our countrymen, who have emigrated under our auspices. Connected, as several of us are, with the commercial and shipping interests of the country, and knowing therefore how much importance they attach to the British possession of New Zealand, as they have frequently stated in memorials to the Treasury and Board of Trade, we have felt that it was a duty to express to your Lordship the apprehensions which we entertain. We have been told that a French frigate recently sailed for the South Seas with sealed orders, and some of the French newspapers report, with expressions of satisfaction, that the Government of the United States of America has appointed a Consul in New Zealand, to be accredited to "the Confederation of Chiefs," and has sent him to his destination in a war-ship, which is to remain under his orders. These statements may be untrue, or only premature; but, in either case, Captain Hobson's instructions, which attach two conditions, either or both of which may be unattainable, to the exertion of any authority by him in New Zealand, namely, possession of the land by British subjects, and cession by the Natives of the sovereignty over such land, are calculated to invite foreign pretensions, which otherwise would never have been imagined.

Enclosing a list of my brother directors,

The Right Hon. Lord Palmerston,
Secretary of State for Foreign Affairs.

Directors of the New Zealand Land Company.

The Earl of Durham, Governor.
Joseph Simes, Esq., Deputy Governor.
Lord Petre.
Hon. Francis Baring, M.P.
John Eliotson Boulcott, Esq.
John William Backhouse, Esq.
Russell Ellice, Esq.
James Eridge Gordon, Esq.
Thomas Alera Haukey, Esq.
William Hunt, Esq., M.P.
Stewart Marjoribanks, Esq.
Sir William Molyneux, Bart., M.P.
Aber. Naime, Esq.
John Sime, Esq., Alderman.
Sir George Sinclair, Bart., M.P.
John Abel Smith, Esq., M.P.
William Thompson, Esq., Alderman, M.P.
Sir Henry Web, Bart.
Arthur Willia, Esq.
George Frederick Young, Esq.

No. 10.

Extract of a Letter from J. Sexton, Esq., to John Backhouse, Esq.

Downing Street, 18th March, 1840.

With reference to the concluding paragraph of your letter of the 11th instant, I am directed by Lord John Russell to transmit to you, for the information of Vincent Palmerston, the enclosed Memorandum, containing all the information which it appears to Lord John Russell necessary or practicable to afford in answer to the statements contained in the communication from Mr. Simes to Lord Palmerston, a copy of which accompanied your letter of the 15th November last.

Enclosure in No. 10.

MEMORANDUM.

In the preceding letter (Mr. Simes to Lord Palmerston, 7th November, 1840), the right of Great Britain to sovereignty over New Zealand is maintained on various grounds, which it is unnecessary for the purposes of this paper to controvert, or even to notice. The answers which would be made by foreign nations to such a claim are two: First, that the British Statute Book has, in the present century, in three distinct sections, declared that New Zealand is not a part of the British dominions; and, secondly, that King William IV. made the most public, solemn, and authoritative declaration which it was possible to make, that New Zealand was a substantive and independent state.

The recognition by the King, Lords, and Commons of Great Britain of the fact that New Zealand is not a part of the British dominions will be found in the Statutes 67 Geo. III. cap. 58; 6 Geo. IV. cap. 96, sec. 2; and 6 Geo. IV. cap. 98, sec. 4. The following are extracts from each of those Statutes.
The Act 67 Geo. III. cap. 55 is entitled "An Act for the more effectual Punishment of Murderers and Manslaughterers committed in places not within His Majesty's Dominions." It is said, "Whereas grievous murders and manslaughter have been committed at the settlement in the Bay of Newfound-land, in South America, &c.; and the like offences have also been committed in the South Pacific Ocean, as well as on the high seas as on land, in the islands of New Zealand and Otaheite, and in other islands, countries, and places not within His Majesty's dominions, by the masters and crew of British ships, and other persons, who have for the most part deserted from or left their ships, and have continued to live and reside amongst the inhabitants of those islands, &c.; and the Act then proceeds for the punishment of offences so committed "in the said Islands of New Zealand and Otaheite, or within any other islands, countries, or places not within His Majesty's dominions, nor subject to any other European State or Country.""

The Statute 6 Geo. IV. cap. 56, sec. 3, enacts that the Supreme Courts in the Colonies of New South Wales and Van Diemen's Land may try offences "committed in the Islands of New Zealand, Otaheite, or any other island, country, or place, situated in the Indian or Pacific Oceans, and not subject to His Majesty or to any other European State," if such offences were committed by British subjects.

The Statute 9 Geo. IV. cap. 55, sec. 9, repeats that enactment in the same words, adding, only, that the punishment of the offence shall be the same as if the crime had been committed in England.

The recognition by King William IV. of New Zealand as a substantive and independent state is shown by the following narrative:

On the 16th of November, 1831, a letter to King William IV. from thirteen chiefs of New Zealand was transmitted to Lord Goderich, praying the protection of the British Crown against the neighbouring tribes, and against British subjects residing in the islands.

On the 12th of June, 1833, Lord Ripon despatched Mr. Buxby as British Resident, partly to protect British commerce and partly to avenge the outrages of British subjects on the Natives. His Lordship sent with Mr. Buxby a letter to the chief, in which the King was made to address them as an independent people. Their support was requested for Mr. Buxby, and they were reminded of the benefits which they would derive from "the friendship and alliance of Great Britain."

In the month of June, 1833, a Bill was brought into the House of Commons for the prevention of crimes committed by His Majesty's subjects "in New Zealand and in other islands in the Pacific not being within His Majesty's dominions." The Bill was rejected, because Parliament would not lawfully legislate for a foreign country.

On the 13th of April, 1833, the Governor of New South Wales, in obedience to Lord Ripon's order, addressed instructions to Mr. Buxby, in which New Zealand was expressly mentioned as a foreign country.

On the 29th of April, 1834, General Bourke transmitted to Lord Stanley a proposal from Mr. Buxby, mentioning a national flag for tribes of New Zealand, "in their collective capacity," and advised that ships built in the Island, and registered by the chiefs, should have their registers respected in their intercourse with the British possessions. Sir R. Bourke reported that he had sent three patterns of flags, one of which had been selected by the chiefs; that the chiefs had accordingly assembled, with the commanders of the British and three American ships, to witness the inauguration of the flag, at which the officers of H.M.S. "Alligator" were also present. The flag had been declared to be "the national flag" of New Zealand, and being hoisted, was painted with twenty-one guns by the "Alligator," a British ship of war.

On the 21st of December, 1834, a Despatch was addressed to Sir R. Bourke by Lord Abercorn, approving all those proceedings in the name of the King, and sending a copy of a letter from the Admiralty, stating that they had instructed their officers to give effect to the New Zealand registers, and to acknowledge and respect the national flag of New Zealand.

If these solemn acts of the Parliaments and of the King of Great Britain are not enough to show that the sovereignty of Great Britain over the Colony of New Zealand is uniminated, it might still further be repelled by a minute narrative of all the relations between New Zealand and the adjacent British Colonies, and especially by the judicial decisions of the superior Courts of those Colonies. It is presumed, however, that, after the preceding statement, it would be superfluous to accumulate arguments of that nature, and the rather because they could not be intelligibly stated without entering into long and tedious details.

No. 11.

Proclamation by His Excellency William Hobson, Esq., Lieutenant-Governor of the British Settlements in progress in New Zealand, &c., &c.

Whereas Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, has been graciously pleased to direct that measures shall be taken for the establishment of a settled form of civil government over those of Her Majesty's subjects who are already settled in New Zealand, or who may hereafter resort thereto; and whereas Her Majesty has also been graciously pleased to direct letters patent for the Crown of the United Kingdom, bearing date the 16th day of June, in the year 1850, by which the former boundaries of the Colony of New South Wales are so extended as to comprehend any part of New Zealand that is or may be acquired in her sovereignty by Her Majesty, her heirs or successors; and whereas Her Majesty has been further pleased, by a commission under her Royal Signet and Sign-manual, bearing date the 30th day of July, 1853, to appoint me, William Hobson, Esq., Captain in Her Majesty's Navy, to be Lieutenant-Governor in and over any territory, to be hereafter held by Her Majesty, her heirs or successors, west in that group of islands in the Pacific Ocean commonly called New Zealand, and lying between the latitudes 34° 31' and 47° 10' S., and 158° S and 179° E. longitude, from the meridian of Greenwich: Now therefore, I, the said William Hobson, do hereby declare and proclaim that I did, on the 14th day of January
instant, before His Excellency Sir George Grey, Knight, Captain-General and Governor-in-Chief in and over the territory of New South Wales and its dependences, and the Executive Council thereof, take the accustomed oath of office as Lieutenant-Governor aforesaid. And I do hereby further proclaim and declare, that I have this day opened and published the two commissions aforesaid, that is to say, the commission under the Great Seal extending the boundaries of the Government of New South Wales, and the commission under the Royal Sign-manual appointing me Lieutenant-Governor aforesaid. And I do hereby further proclaim and declare, that I have this day entered on the duties of my said office as Lieutenant-Governor aforesaid, and I do call upon all Her Majesty's subjects to be aiding and assisting me in the execution thereof.

Given under my hand and seal, at Kororareka, this 30th day of January, 1840, and in the third year of Her Majesty's reign.

By His Excellency's command.

GEORGE COOPER.

GOD SAVE THE QUEEN!

No. 12.

Proclamation by His Excellency WILIAM HOBSON, Esq., Lieutenant-Governor of the British Settlements in progress in New Zealand.

WHEREAS Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, has been graciously pleased, by instructions under the hand of the Most Noble the Marquis of Normanby, one of Her Majesty's Principal Secretaries of State, bearing date the 14th day of August, 1839, to command that it shall be notified to all Her Majesty's subjects settled in or resorting to the Islands of New Zealand, that Her Majesty, taking into consideration the present as well as future interests of her said subjects, and also the interests and rights of the chiefs and Native tribes of the said Islands, does not deem it expedient to recognize as valid any titles to land in New Zealand which are not derived from or confirmed by Her Majesty; now therefore, I, William Hobson, Esq., Captain in Her Majesty's navy, and Lieutenant-Governor in and over such parts of New Zealand as have been or may be acquired in sovereignty by Her said Majesty, do hereby proclaim and declare to all Her Majesty's subjects, that Her Majesty does not deem it expedient to recognize any titles to land in New Zealand which are not derived from or confirmed by Her Majesty aforesaid; but in order to dispel any apprehension that it is intended to deprive the owners of any land acquired on equitable conditions, and not in excess or otherwise prejudicial to the present or prospective interests of the community, I do hereby further proclaim and declare, that Her Majesty has been pleased to direct that a Commission shall be appointed, with certain powers, to be derived from the Governor and Legislative Council of New South Wales, to inquire into and report on all claims to such lands, and that all persons having any such claims will be required to prove the same before the said Commission when appointed. And I do further proclaim and declare, that all purchases of land in any part of New Zealand, which may be made from any of the chiefs or Native tribes thereof, after the date of these presents, will be considered as absolutely null and void, and will not be confirmed or in any way recognized by Her Majesty.

Given under my hand and seal, at Kororareka, this 30th day of January, 1840, and in the third year of Her Majesty's reign.

By His Excellency's command.

GEORGE COOPER.

GOD SAVE THE QUEEN!

No. 13.

Copy of the Treaty of Waitangi, in the Native language. (Copied from Parliamentary Papers of 1844, page 622.)

Ko Waitangi te Kūmi o Ingārami i tana mākara anawai ki nga Tangatira me nga hapu o Niul Tīrei, i tana kia hia hoki kia tehunga ki a ratou a ratou Tangatitanga me te ratou wenua, e aia man zu ku hoki te raupu marae ki a ratou me te ato hoki, kia wakaaro ia he mea tika ki taku mai te tau Tangatira hei tahi kia taku ngā tangata Māori o Niutīrei kia wakaari e nga Tangatira Māori te Kawakawa o te Kūmi ki a nga wahi katoa o te wenua nei ki nga motu.

Na te mua hoki, kia takuana ki nga tanga o te tahi ia kia tahi i tenei wenua a o kaire mai nga hoa.

Na te Kūmi o hia hia anua ki tahi waka o Kawakawa i tenei wenua a o tahi i tenei na.

Na te Kūmi o Tāwharau a tahi waka, kia tahi a te Wairua Hopohopa, ko Kapitāno i te Rūhia Neiwi, hei Kawakawa me nga wahi katoa o Niutīrei, kia tahi a ia nei anua anau e tahi ki te Kūmi; a nea anu a ia nga Tangatira o te Waka-aihenga o nga hapu o Niutīrei, me era Tangatira e, e nei tahi ki te Kūmi o Waka-aihenga katoa o a ratou wenua.

Eo to Tāwharau.

Kia nga Tangatira o te Waka-aihenga, me nga Tangatira katoa hoki, kia i ia anau ki tahi Waka-aihenga kia tahi rawa anu a te Kūmi o Ingārami ake tomo anua te Kawakawa katoa o a ratou wenua.
No. 14.

Lieutenant-Governor Hoskyns to the Marquis of Normandy.

Her Majesty's ship "Herald," Bay of Islands.

My Lord,—February 26, 1840.

I avail myself of this clause in your Lordship's instructions, which I am permitted to communicate directly with your Lordship on subjects of importance, that it would be inexpedient to delay by transmission through the Governor-in-Chief of New South Wales.
I trust I am not abusing that privilege in laying before your Lordship a brief account of the condition in which I find the European and Native population in the northern parts of this Island, and in earnestly appealing to your Lordship's early attention to the general state of this country.

Of late years, there can be no better account rendered than may be found in the reports already before your Lordship; and all I can say is, that within these two years, in the occupation both of the European and Native population. The passion for land-jobbing now pervades every class; all considerations appear to be absorbed in that one object. Travels of country, in some cases of 500 square miles, are claimed by single individuals; and it not unfrequently occurs in the late purchases, that very fair equivalents have been given to the Natives for those possessions.

This mania for land-jobbing is by no means confined to the large classes, but extended to the Natives, who have proved quite as ready to sell their lands as the Europeans were to buy.

The Proclamation issued by your Lordship's order, has had the effect of stopping this traffic; but extensive mischief had been done before its promulgation, and in some cases the disaffected white people have used it as a means of expatriating the Native mind against the Government; although the more industrious portion of the New Zealanders receive it as a proof of the advantage my presence will confer on them.

I greatly fear that the conflicting claims for land that will be brought under the consideration of the Commissioners who are to be appointed to investigate them will create a violent ferment through every class of society, both Native and European. I know perfectly well the former will resist the execution of all awards which may be disadvantageous to them, and that it will require a strong executive, supported by a military force, to carry such decisions into effect. The grumblings of complaint are manifold.

First, considerable tracts of land were sold some years ago for a sum which bears no proportion to the present prices, and this operates the Natives, and impresses on their minds that land is a commodity which is increasing in value. In some cases such overcharges and cheated, whilst in fact the old purchases were quite as just as those of a more modern date; the former having been made without the hope of British interference, whilst the latter were effected with a certain knowledge that Her Majesty's Government would extend to this country the benefits of civil institutions and legal protection. It would be needless to attempt an explanation to the Natives of these subtleties, which are infinitely beyond their comprehension.

The treatment of fraudulent claims may be easily disposed of by referring the whole in all such cases to the original purchaser; but there will be a great many most unreasonable demands made for restitution, and much discontent will prevail if they are rejected.

Another very frightful germ of discord will be found in the conflicting claims of Natives to land in right of conquest, which all have arisen from the suggestions of interested Europeans.

According to Native custom, war has not conquered for its object. But when the tribes under Hongi overflowed the country about Karapake on the west, and Whangaroa on the east, Boghuns who were on the spot advanced to secure for themselves the valuable forests of these districts, and they treated the possession of them with the conquerors. Vengeance followed from the beaten party, and the most inflammatory means were resorted to to induce the tribes under Hongi to defend their acquired right. The Natives were tired of war; Hongi had received a wound, of which he afterwards died; so that a compromise was easily effected, by which certain Boghuns were permitted to exercise proprietary rights over these forests. Nothing could be more loose than their titles, but they were supported by violence and threats, and much of the land has since passed into other hands.

Since the passing for jobbing has been excited in the Native mind by the comparatively high prices of land, these old claims have been revived; and it frequently happens that the same lands are sold by the conquerors and the vanquished respectively to different Europeans. The Natives have a feeing of pride in these matters, and they each defend the right to sell with extraordinary pertinacity. I do not profess to be yet sufficiently well informed of all the instances, but, to my knowledge, I will venture into and sift it; and when I know thoroughly the full extent of the case, I will not fail to report to your Lordship, and impress upon them the minds of the Commissioners.

In noticing it is to show your Lordship how many sources of dissension exist between Natives and Europeans, and how requisite it is that the executive government should have a force at command that will enable it to act with vigour—not, I hope, by the hostile employment of troops, but by the moral effect their presence will produce.

Other grounds of quarrel between the Europeans and Aborigines, though of less importance, are equally liable to produce mischief; one of these is the trespassing of cattle on provision grounds. The Natives will not hesitate to shoot or destroy cattle that trespass, especially on their beds of kumara (sweet potato), which are considered sacred; and if redress cannot be obtained, Englishmen will retaliate, and bloodshed will follow. In cases of this nature, the law would be quite ineffectual without an adequate physical power to enforce it.

I am instructed to employ a police force and to employ a militia. Both these measures will be requisite, but they will not supersede the necessity for a regular military force that will always be available, and whose appearance will be sufficient to repress disorder and discourage resistance of the law.

With respect to my own position, as regards my authority, I did myself the honour to refer the question to your Lordship, in a letter dated in the first week in August, 1849, in which I quoted from memory, the copy not being on board, whether in my subordinate capacity as a Lieutenant-Governor of a dependency, under a Governor-Captain, I had the right to a Governor-Captain to suspend magistrates or to remit the punishment of criminals. The answer I received was, that "all the powers necessary for the proper conduct of your office will be conferred on you by Acts of the Governor or Legislature of New South Wales, which will also make the necessary provision for the establishment of Courts of justice in New Zealand."

As my instructions were given to me in confidence, I was deprived of the advantage of consulting with persons better skilled than myself in law; but it certainly appeared to me impossible for the Governor to delegate to me any portion of that prerogative, which he himself holds but in trust from the Crown; nor could I suppose that such a fact would be overlook; nor that it was deemed
unnecessary to confide in me the prerogatives of mercy, or the appointment of magistrates, as enjoyed by all other Lieutenant-Governors. Therefore concluded that my legal view of the case was erroneous; but I find, on consulting with Sir George Gipps, that I was not in error, and that these powers are withheld from me. In the present case, considerable inconvenience to the public service will be experienced; I have with me but one magistrate of whose services I can avail myself, and I find it necessary, in support of the authority of Her Majesty's Government, which has long been partially established here, to leave that office in charge of this much-frequented port. I am therefore without any one whom I can employ at Port Nicholson, or elsewhere, be the necessarily ever so pressing; nor can I appoint to the office, and a delay of several months may occur before I can procure from New South Wales a person legally entitled to act.

I have been subject likewise to great inconvenience and responsibility from being deprived of the assistance and advantage of a Colonial Secretary, or a legal adviser. I foresaw, and expressed to your Lordship my prediction, that no gentleman suited for office of such trust could be found in New South Wales, who were not already in better circumstances than the limited means of a new Colony could afford them. The fact has proved so. Although Sir George Gipps used every effort to procure proper officers, none could be found at once qualified and willing to hold the appointments; and at this moment I see but little prospect of being immediately relieved from the dilemma.

I have not yet had any communication with the emigrants who were sent from England by the Association, nor am I informed of the numbers that have arrived, but I have heard that several ships have reached Port Nicholson; that a town has been laid out, and is in progress of building; and that all the land for many leagues round their station has been purchased from the Natives. I am about to sail, when the wind permits, for the ports to the southward, and will visit Port Nicholson as early as possible.

Having stated to your Lordship that I considered it essential for the support of Her Majesty's authority in this country that troops should be stationed here, I beg to add, that owing to the dispersed state of the British population, and the number of points that must be guarded, I consider that not less than four companies of a regiment should be applied to this service. This force, with the frequent visits of ships of war and the assistance of police and militia, will, I think, be sufficient to maintain the dignity of the Crown and secure the due execution of the laws.

I beg once more to request your Lordship's early attention to the affairs of this country, and have the honor to remain, &c.,

W. Hobson,
Lieutenant-Governor.

The Most Hon. Marquis of Normandy,
Secretary of State for the Colonies, &c., &c.

No. 15.

Proclamation in the name of Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, by William Hobson, Esquire, a Captain in the Royal Navy, Lieutenant-Governor of New Zealand.

WHEREAS by a treaty, bearing date the 5th day of February, in the year of our Lord 1840, made and executed by me, William Hobson, a Captain in the Royal Navy, and Lieutenant-Governor in New Zealand, vested for the purpose with full powers by Her Britannic Majesty, of the one part, and the chiefs of the Confederation of the United Tribes of New Zealand, and the separate and independent chiefs of New Zealand, not members of the Confederation, of the other, and further ratified and confirmed by the adherence of the principal chief of this Island of New Zealand, commonly called "The Northern Island," all rights and powers of sovereignty over the said Northern Island were ceded to Her Majesty the Queen of Great Britain and Ireland, absolutely and without reservation:

Now therefore, I, William Hobson, Lieutenant-Governor of New Zealand, in the name and on behalf of Her Majesty, do hereby proclaim and declare to all men, that from and after the date of the above-mentioned treaty, the full sovereignty of the Northern Island of New Zealand vests in Her Majesty Queen Victoria, her heirs and successors, for ever.

Given under my hand, at Government House, Russell, Bay of Islands, this 21st day of May, in the year of our Lord 1840.

By His Excellency's command,

WILLIAM SHTERNAL
Colonial Secretary.

No. 16.

Proclamation in the name of Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, by William Hobson, Esquire, a Captain in the Royal Navy, Lieutenant-Governor of New Zealand.

WHEREAS I have it in command from Her Majesty Queen Victoria, through her Principal Secretary of State for the Colonies, to assert the sovereign rights of Her Majesty over the southern islands of New Zealand, commonly called "The Middle Island," and "Stewart's Island," and also the island commonly called "The Northern Island," the same having been ceded in sovereignty to Her Majesty:

Now therefore, I, William Hobson, Lieutenant-Governor of New Zealand, do hereby proclaim and declare to all men that, from and after the date of these presents, the full sovereignty of the islands of
New Zealand, extending from 46° 30' north to 40° 10' south latitude, and between 162° 6' to 173° of east longitude, rests in Her Majesty Queen Victoria, her heirs and successors, for ever.

Given under my hand at Government House, Russell, Bay of Islands, this 21st day of May, in the year of our Lord, 1840.

WILLIAM HORSEY,
Lieutenant-Governor.

No. 17.

The Secretary of the Company to Lord John Russell.

Mr. LEAD,—

30th February, 1840.

The directors of this Company have desired me to transmit to your Lordship the accompanying extracts from the Journal de Havre, French newspaper, from which it appears that a French expedition has been dispatched for the purpose of founding a colony at Banks' Peninsula, in the Southern Island of New Zealand, and that the French Government entertains the design of forming a penal settlement in that locality.

The directors regard these reported proceedings of foreigners with the most serious apprehensions, more especially the prospect of the introduction of foreign convicts into a country which is now the seat of a considerable British colony, and of which, as the directors have always believed, the sovereignty is vested in the Crown of Great Britain.

The directors therefore deem it their duty to the large body of colonists who have lately emigrated under their sanction to lay this matter before your Lordship, in the confident hope that it will not escape the attention of Her Majesty's Government.

I have, &c.,
JOHN WARD,
Secretary of State for the Colonies, &c.

No. 18.

Captain STANLEY, R.N. to Lieutenant-Governor Horseby.

Her Majesty's ship "Britomart,"

17th September, 1840, at sea.

Sir,—

I have the honor to inform your Excellency that I proceeded in Her Majesty's sloops under my command to the port of Akaroa, in Banks' Peninsula, where I arrived on the 10th August, after a very stormy passage, during which the storm boat was washed away, and one of the quarter-boats stove.

The French frigate "La Aube" had not arrived when I anchored, nor had any French emigrants been landed.

On the 11th August I landed, accompanied by Messrs. Murphy and Robinson, police magistrates, and visited the only two parts of the bay where there were houses; at both places the flag was hoisted, and a Court, of which notice had been given the day before, was held by the magistrates.

Having received information that there were three whaling stations on the southern side of the Peninsula, the exposed positions of which afforded no anchorage for the "Britomart," I sent Messrs. Murphy and Robinson to visit them in a whaleboat.

At each station the flag was hoisted and a Court held.

On the 15th August, the French frigate "La Aube" arrived, having been four days off the point.

On the 10th August, the French whaler "Conde de Paris," having on board 57 French emigrants, arrived.

With the exception of Mr. Bellamy, from the Jardin des Plantes, who is sent out to look after the emigrants, and who is a good botanist and mineralogist, the emigrants are all of the lower order, and include carpenters, gardeners, stonemasons, labourers, a baker, and a miner; in all, 20 men, 11 women, and the rest children.

Captain Levaud, on the arrival of the French emigrants, assured me on his word of honor, that he would maintain the most strict neutrality between the British residents and the emigrants, and that, should any differences arise between them, he would settle matters impartially.

Captain Levaud also informed me that, as the "Conde de Paris" had so proceeded to sea, whaling, he would cause the emigrants to be landed in some unoccupied part of the bay, where he pledged himself they should do nothing which could be considered as hostile to our Government; and that, until fresh instructions should be received from our respective Governments, the emigrants should merely build themselves houses for shelter, and clear away what little land they might require for gardens.

Upon visiting the "Conde de Paris," I found that she had on board, besides agricultural tools for the settlers, six long 24-pounders, mounted on field carriages.

I immediately called upon Captain Levaud to protest against the guns being landed. Captain Levaud assured me that he had been much surprised at finding that guns had been sent out in the "Conde de Paris," but that he had already given the most positive orders that they should not be landed.

On the 19th August, the French emigrants having landed in a sheltered, well-chosen part of the bay, where they could not interfere with any one, I handed over to Messrs. Murphy and Robinson the instructions intrusted to me by your Excellency to meet such a contingency.
Mr. Robinson, finding that he could engage three or four Englishmen as constables, and having been enabled, through the kindness of Captain Levand, to purchase a boat from a French whaler, decided upon remaining.

Captain Levand expressed much satisfaction when I informed him that Mr. Robinson was to remain, and immediately offered him the use of his cabin and table as long as "L'Aube" remained at Akaroa.

Mr. Robinson accepted Captain Levand's offer until he could establish himself on shore.

On the 27th August, I sailed from Akaroa for Pigeon Bay, where, finding no inhabitants, I merely remained long enough to survey the harbour, which, though narrow, and exposed to the northward, is well sheltered from every other wind, and is much frequented by whalers, who procure great numbers of penguins.

From Pigeon Bay I went to Port Cooper, where Mr. Murphy held a Court. Several chiefs were present, and seemed to understand and appreciate Mr. Murphy's proceedings in one or two cases that came before him.

Between Port Cooper and Cloudy Bay, I could hear of no anchorage whatever from the whalers who frequent the coast.

I arrived at Port Nicholson on the 2nd September, embarked Messrs. Shortland and Smart, and sailed for the Bay of Islands on the 16th September. I have the honor to enclose herewith such information as I was enabled to procure during my stay at Banks' Peninsula, and also plans of the harbours.

To His Excellency Lieutenant-Governor Hobson,
New Zealand.

I have, &c.

W. M. Stanley,
Commander, R.N.

---

No. 19.

Extract from Letter, Governor Sir George Gipps to Lord John Russell.

MY LORD,—

I have already transmitted to your Lordship copies of the instructions which had been given to Captain Stanley, of Her Majesty's ship "Britomart," by the Lieutenant-Governor of New Zealand, on his proceeding to Banks' Peninsula, in the Middle Island, where it was expected that some emigrants from France were about to form a settlement.

I have now the satisfaction to inform your Lordship that Captain Stanley preceded the French in his arrival at Banks' Peninsula, and that the British flag was flying and British authority established there when the French whaling ship the "Conte de Paris," Captain Langlois, arrived and landed about 50 emigrants.

Captain Levand, in the French corvette "L'Aube," arrived at Banks' Peninsula after Captain Stanley, and only one day before the "Conte de Paris"; and he has, I understand, pledged himself that nothing shall be done that can be considered as an attempt to take possession of the country for the French Government.

Captain Langlois's claims, I understand, a considerable extent of land as a purchase from the Natives.

The emigrants are described by Captain Stanley as being mostly mechanics or labourers, and are under the direction of a gentleman sent from the Jardin des Plantes.

The spot where they have landed is called Akaroa; it is a good harbour, but surrounded by steep and thickly wooded mountains 9,000 feet high.

A police magistrate (Mr. Robinson) was left at Akaroa, having been sent thither in the "Britomart" by Lieutenant-Governor Hobson, and the "Britomart" was at Fort Nicholson on the 4th instant, the day to which my accounts from Captain Stanley come down.

The Right Hon. Lord J. Russell,
Secretary of State for the Colonies, &c.

---

No. 20.

To Lord John Russell.

SIR,—

I herewith transmit to you a charter (or letters patent) under the Great Seal of the United Kingdom, providing for the future administration of the Government of New Zealand as a separate Colony. This instrument has been issued by the Queen in pursuance of the authority vested in Her Majesty by the Act of the last session of Parliament, 3 and 4 Victoria, c. 62, s. 2.

I also transmit a commission under the Great Seal, by which Her Majesty has been pleased to appoint you to be the First Governor of New Zealand.

With these letters I also transmit instructions, under the royal signet and sign-manual, for the guidance of yourself and your successors in the administration of the government of the Colony.

I further enclose a schedule of a future civil establishment for New Zealand, embracing a list of the principal office of your Government, with the salaries to be attached to those offices.

This series is compiled by the accompanying instructions, which, at my instance, the Lords of the Treasury have cause to be prepared for your guidance, and that of the officers serving under you, in whatever relates to the receipt, expenditure, and management of the public revenue.

A copy of this shall have been duly made at the principal settlement at New Zealand, and, as far as may be practicable, in the other settlements, of the letters patent and charter above mentioned, you will be invested with every power which may be required for the regular conduct of affairs, with-
out any further reference to the Government of New South Wales, or any dependence of your own authority, or that of the Governor of any other British colony. From that time your correspondence will be addressed directly to myself. It remains that I should indicate, for your guidance, some of the general rules by which your official conduct will be directed. With a view to perspicuity, I shall endeavour to state them under the following heads:—

I. Legislation.

II. Administrative authority.

III. The use of the public revenue.

IV. The aborigines.

V. The sale and settlement of waste lands; and

VI. The general care of the education of youth, and the religious instruction of all classes within your government.

---

I. Legislation.

Proceeding upon the well-established principle of law that Her Majesty's subjects, settled in a country acquired as New Zealand has been acquired, carry with them as their birthright so much of the law of England as is applicable to their altered circumstances; that fundamental rule has been qualified in the infancy of the Colony by constituting a Legislature nominated by the Crown in New Zealand, as in other Australian colonies. The legislative power thus concentrated in few hands, imposes on those who hold it the duty of exercising it with constant regard to the principles of justice and in the welfare of the Colony.

To the Governor falls the duty of originating and preparing for the adoption of the Legislative Council all laws which the peculiar exigencies of the local society may demand, a task of much apparent extent and difficulty. Happily, however, there are many aids within your reach which will greatly abridge this labour.

In the adjacent Colonies of New South Wales and Van Diemen's Land, laws have gradually been framed to provide for many contingencies of social life which must be expected to arise also in New Zealand, just as provisions are made under similar institutions with a general identity or correspondence in substance. I do not, of course, refer to enactments designed for the special government of convicts, but to those which are intended to facilitate the administration of justice, the alienation of property, the registration of deeds, the police of great towns, and the like. Now, on all these subjects your task will be greatly lightened by availing yourself, as far as may be practicable, of the labours of the Governors, the Legislative Councils, and the Crown lawyers of the older settlements in your vicinity. It has been the great advantage of New South Wales and Van Diemen's Land to have possessed amongst them those to whom the higher offices, administrative, judicial, and legal, have been intrusted, many men of capacity and learning, rare in any country, but peculiarly so in countries where there are so many urgent demands withdrawing the thoughts of educated men from the permanent to the transient interests of the public at large. I have reason to believe that the Chief Justices of New South Wales and Van Diemen's Land especially have, for the last twenty years, laboured at the work of reducing the law of England, on many principal subjects, into a form better adapted to the wants of the colonists.

Secondly, as I understand, by some of the other Judges, and assisted by the active co-operation of the law officers of the Crown, they have progressively given to the Colonial Statute Book a character of practical adaptability to the circumstances of the colonists, while retaining the spirit of English law, which entitles them to a large share of public gratitude. You will therefore freely and safely borrow from those sources, though, of course, not with a servile subservience to them as precedent, except so far as the similarity of circumstances may allow.

You will find, in the accompanying Royal Instructions, rules requiring that the utmost possible publicity should be given to every project of a law which it may be designed to submit to the local Legislature. If the counsels which may thus be invited should often reach you, as will probably be the case, in the unwelcome form of party caulis and unceremonious censure, you will, I am persuaded, recollect that these are unavoidable evils in the formation of public opinion. Without turning aside to refute such remarks, you will endeavour to carry with you the good sense and good feeling of the community, and to impress the conviction on all that you are working for the benefit of all.

The legislative body will be composed of the three principal officers of your Government, and of the three senior Justices of the Peace not holding any place of emolument under the Crown. In their respective departments, each of the members of the Legislative Council will be expected to take a more particular charge of that branch of legislation with which his own appropriate duties may more immediately connect him. Thus, the Treasurer will prepare for your consideration such projects of law as he may think necessary for the improvement and security of the revenue; the Attorney-General will, in the same manner, make it his peculiar care to devise laws for the general protection of property, and for the prevention and punishment of crimes; the Colonial Secretary will superintend the formation of that part of the colonial code which relates to the general duties of the local Government relatively to the whole society, or any particular class of the land, and the three Justices, besides a general attention to the projects of his colleagues, will consider himself as called to exercise a peculiar care on whatever relates to the local wants of his own immediate vicinity.

At the great distance which separates Great Britain from New Zealand, and the consequent infrequency and tardiness of communication, the royal prerogative of disallowing legislative acts can seldom be exercised without inconvenience. Little as the confidential advisers of the Crown would be disposed to bring the laws of the Colony to the test of mere verbal criticism, and liberal as would always be their ground of not being disposed to make for minor errors of every class, it must be remembered that the responsibility of Her Majesty's Government is peculiarly grave in assenting to laws enacted in a Colony in which there is no representation of the people. It will therefore be incumbent on you to use great circumspection in avoiding material errors, and explaining the grounds of any departure from the ordinary modes and principles of legislation. Your attention will be constantly given to those general rules which are laid down for your guidance in Her Majesty's standing instructions on this subject.
II.—Administration.

Your administrative authority is the second general head to which I have proposed to advert. Under this term I would include whatever relates to your official relation to the principal officers of your Government, and the division of the public business between yourself and them. It is not, of course, my intention to enter into minute details, but rather to indicate some general rules for your guidance, the disregard of which appears to be a fertile source of mischief in many of the British colonies.

Between the two extremes of an unbounded confidence in subordinate officers and an habitual distrust of them, you will, I trust, find a middle point, at which you may, with satisfaction to yourself and advantage to the public at large, take your stand. In a society where all men so much feel the pressure of indispensable private engagements, one of the great elements of good government—with which we are so familiar in this country—must always be, to a great extent, wanting. Few will have at once the leisure, the intelligence, and the public spirit to make any gratifying contribution of time or thought to the conduct of affairs. The great mass of society will look to the Government for direction or assistance on all questions of general or even of local concern.

If, on the other hand, you should charge your own mind with the whole of this complicated mass of inquiries or measures, you would speedily find the burden intolerable. If, on the other hand, you should devote it to any one or more of your officers, in an implicit reliance on their ability and zeal, you would, in no long time, find that the result had passed out of your own hands; that you must govern as the head of a party and act as the head of the society at large; and that a system of partiality and favoritism would either prevail, or be supposed to prevail, throughout your government. To give a large and liberal confidence to the heads of the several departments, and to combine this with a vigilant and punctual superintendence of each, should be the rule of your conduct. To enable you the more readily to conduct the administration of affairs, the Queen has appointed an Executive Council, consisting of your three principal officers. To this body, aided on any particular occasion by others who may be called to their assistance, you will be able to refer all the more arduous questions which may arise. As far as possible, leaving details to the management of each officer in his own division, you will reserve to yourself the consideration of every general principle, every comprehensive measure, and every arduous controversy; reserving, even on the points so reserved, to certify and sustain your own decisions by reports prepared for your consideration, either by the Executive Council, or by any Board or Committee which you may find convenient to appoint for conducting such inquiries.

It is necessary that your authority over the subordinate officers of your Government should be firm and respected; and that it may be so, it is necessary that it should be exercised in the spirit of justice, and with a liberal indulgence for the infirmities of those through whose intervention you must act. Having had occasion, in reference to many other colonies, to consider in what manner the just authority of the Government could be most properly maintained and vindicated, I enclose a copy of a circular despatch which I have written on that subject, and which you will consider as addressed to yourself.

III.—Public Revenue.

Regarding the use of the public revenue, I refer you to the instructions of the Lords of the Treasury. But, in addition to the specific rules which their Lordships have laid down, it is my duty to impress on you some more general considerations suggested by recent experience, as well as by a more comprehensive retrospect to the history of our colonies.

Properly is one of the indispensable bases of all good government and social welfare in such countries as have recently been formed in New Zealand. I refer not merely to a wise economy in public expenditure, but to simplicity and plainness of living in domestic circles. As the Governor of the Colony, your example will be of decisive weight on this head; and therefore I cannot scruple to touch on a subject which, if apparently of a private and personal interest, is really of a public and general interest. I admit that, as the representative of your Sovereign in a remote part of the Queen’s dominions, you may be subjected to demands on your hospitality, and to claims for the exhibition of some degree of state, which is may be most difficult to resist, and which it might not be right altogether to disappoint. But, on the other hand, such demands and such claims, if too readily conceded, may irresistibly urge you into an outlay of money and a style of life highly inconvenient to yourself, and still more prejudicial to the colonists at large, by exciting amongst them an emulation in the more embalmments of life, to the sacrifice of many of its substantial interests and duties.

The governor of an infant colony should aim at nothing beyond the decencies of a private and moderate establishment, and his ambition should be no less to enhance, but to guide, befriend, and protect those who are living under his authority.

Economy in public expenditure will be greatly facilitated by the observance of these rules. To those who have so lately quitted the wealthiest and one of the most ancient of the monarchies of Europe, it is difficult to dissociate the feelings of loyalty to their Sovereign, and of attachment to their mother country, from the desire for those refinements by which the Throne is surrounded and the kingdom at large is embalmed.

But for these things, the time is, as yet, ingen in New Zealand. At the commencement, and for some years afterwards, we must be content with what is useful, plain, and solid, remitting to a future day what is merely ornamental. On this principle every work should be undertaken the charge of which is to be derived from the public revenue; and, even so, the utmost possible parsimony will always be inadequate to secure the means of attaining many objects highly conducive to the general good. Such as are least urgent must therefore be postponed to such as are more immediately pressing. The public health and safety must, for example, precede every other case. Provision must be made for the encouragement and punishment of crime, in preference to improvements in internal communications. Religious instruction and elementary teaching must be regarded as having a claim prior to education in the liberal arts and sciences; and so of the rest. In your annual estimates, therefore, you will judiciously select as objects of expenditure those services the
neglect of which would be attended with the greatest amount of direct and immediate evil, however important may be the solicitations for votes of money towards the advancement of schemes of a more splendid and impressive character.

With a view to economy, it will be necessary to establish and enforce a system of extreme punctuality and order in rendering and examining the accounts of all persons intrusted with the receipt and expenditure of the public money. You will, as far as possible, make the payment of the salary of every public officer depend upon presenting the proper certificate that his accounts up to that date have been fully rendered, examined, and passed. This may not be altogether practicable, but you should aim at the nearest possible approach to such a regulation.

Another important rule for your guidance is to promote as far as possible the establishment of municipal and district governments for the conduct of all local affairs, such as drainage, by-roads, police, the erecting and repairing of local prisons, court-houses, and the like. Independently of all other considerations, it will be of the greatest political advantage to have the country occupied by the English character and habits, and more better calculated to effect an efficient and frugal expenditure of public money. It is of the utmost importance to withdraw from the Governor the care of these immemorial local petty details, and to relieve the public treasury from the wasteful expenditure in which it must be involved, so long as it is burdened with the double charge of collecting local assessments and of effecting local works. Nor is there any better mode of training the colonists to the exercises of the more important duties of a free people and a representative government.

You will probably find the two great sources of revenue most available, least burdensome, and least unpopular, to be—first, Duties on imports, especially on spirits, tobacco, tea, coffee, and sugar; and 2nd, Assessment on uncultivated land in the bands of private persons. To the last, I shall advert again in the sequel; but with regard to duties on imports, there is one general remark to which your attention should be early given.

It is impossible that a revenue should be raised on an imported article which can also be raised within the country itself, unless there be a duty of Excise in all of the duty of Customs, or unless the indigenous growth or production of that article be effectually prohibited. Such prohibitions are always difficult; and, if the particular culture or manufacture has attained to any considerable maturity, they are often impracticable, or can be enforced only at the cost of the most expensive compensations. In New Zealand, the manufacture of spirits would be very easy, and probably extensive. An early prohibition of distillation will therefore be requisite. In some of the other Australian colonies the policy of such a measure was not discovered until too late; and it was then affected at the expense of paying large compensations to those whose distilleries were stopped, and at the further expense of creating much public clamour and discontent. Yet, as the revenue on spirits and spiritsuous liquors is at once the most certain and most abundant source from which the Colonial Treasury could be supplied, and is less open to just objections than almost any duty which could be imposed, it seems necessary that no obstacle should be permitted to prevail, or, if possible, to arise, by which the supply drawn from this import would be prevented.

The Colony of New South Wales will, in the commencement of its separate political existence, be indebted to the Colony of New South Wales for any advances made from the one Treasury to the other, for the necessary support of the Government of the younger Colony, during the period which has elapsed since your departure from this country. This, however, is the single debt with which New South Wales will be burdened, and there will, I trust, be very little difficulty in assuring and paying the amount. For the future, it will be your duty to take care that the system of defraying the cost of government by loans be strictly avoided, and that the expenses of each year be raised with the year itself. I have in the recollection which occasionally recommends the anticipation of the public income of future years, I conclude, from all the information which this office supplies, that in newly-settled colonies the benefit of this practice is so entirely counterbalanced by the evils resulting from it, and that it is so difficult in practice to enter on this course at all without advancing to the ruinous embarrassments towards which it leads, as to justify or require a general interdict against public loans of any description. Extreme cases may, of course, arise, to which every such general rule must yield; but it will be, except in such cases, the habitual rule of your conduct.

IV.—The Aborigines.

The aborigines of New Zealand will, I am convinced, be the objects of your constant solicitude, as certainly there is no subject connected with New Zealand which the Queen, and every class of Her Majesty's subjects in this kingdom regard with more settled and earnest anxiety. At the same time, you will look rather to the permanent welfare of the tribes now to be connected with us than to their supposed claim to the maintenance of their own laws and customs. When those laws and customs are inconsistent with peace and order, and with the extermination of another, the Queen's sovereignty must be vindicated, and the benefits of a rule extending its protection to the whole community must be made known by the practical exercise of authority. Yet amongst the barbarous tribes with which our extended colonial empire brings us into contact in different parts of the globe, there are none whose claims on the protection of the British Crown rest on grounds stronger than those of the New Zealanders. They are not mere wanderers over an extended area in search of a precarious subsistence, nor do their tribes extend over any lands alien to the government; but the venison and the marlstone, the salmon, and the eel, the government has no idea even possession, who have established by their own customs a division and appropriation of the soil; who are not without some measure of agricultural skill, and a certain subordination of ranks; with images having the character and authority of law. In addition to this, they have been formally recognized by Great Britain as an independent State; and even in assuming the dominion of the country this principle was acknowledged, for it is on the deliberate act and consent of the chiefs, on behalf of the people at large, that our title rests. Nor these are the rights of a conquered race; they are the common birthright of all the inhabitants of New Zealand, and are as well the legal right of the descendants of our missionaries in the Christian faith. It is, however, impossible to cast the eye over the map of the globe, and to discover so much as a single spot where civilized men brought into contact with tribes
differing from themselves widely in physical structure, and greatly inferior to themselves in military prowess and social arts, have abstained from oppressions and other evil practices. In many, the process of extermination has proceeded with appalling rapidity. Even in the absence of positive injustice, the mere contiguity and intercourse of the two races would appear to induce many moral and physical evils, and to complicate the state of society. And it must be confessed that, after every explanation which can be found of the rapid disappearance of the aboriginal tribes in the neighbourhood of European settlements, there remains much which is obscure, and of which no well acquainted facts afford the complete solution. Be the causes, however, of so frequent calamity what they may, it is our duty to leave no rational experiment for the prevention of it unattempted. Indeed, the dread of exposing any part of the human race to a danger so formidable has been shown by the Marquis of Normanby, in his original instructions to you, to have been the motive which dissuaded the occupation of New Zealand by the British Government until the irreparable course of events had rendered the establishment of a legitimate authority there indispensable.

Amongst the practical measures which you can adopt or encourage for the protection of the aborigines the most important are, the support of the missions and the missionaries established for their conversion to the Christian faith, and for their instruction as Christians; the assigning officers charged with the duty, and, as far as may be, provided with the means of protecting them in the enjoyment of their persons and their property; the establishment and enforcement of such laws as can be devised for preventing and punishing any wrongs to which their persons or their property may be exposed; and the encouragement of the education of their youth.

The missions to the aborigines of New Zealand have been established by Christians of many different denominations. With the most absolute toleration to every form of Christian worship, you will afford support and countenance to all Christian ministers engaged in this benevolent work, discarding, as far as your influence may extend, the exhibition of those mutual jealousies and discords which unhappily too often occur among ministers of religion on such occasions. Any practice by which the peace of society and the freedom of religious worship might be invaded. As far as the means at your disposal will admit, you will aid, from the public revenue, the efforts of the missionaries to educate and instruct their pupils, considering that we owe to the aborigines of the country a debt which we shall be best discharged in proportion as we can thus promote their highest interests.

The missions must, of course, continue chiefly dependent on the voluntary zeal of the people of this country in supporting the various societies by which they have been founded; and it is gratifying to know that on that zeal we may rely with the utmost confidence for raising the supplies requisite for this purpose. The contributions of the Government can only be subsidiary to this principal resource.

The official protection of the aborigines will be committed to one principal officer, with such subordinate assistance as may be found necessary. The general duty of the Protector would be to watch over the execution of the laws in whatever concerns more immediately the rights and interests of the Natives; and, to reduce this general principle into a definite form and practical usefulness, it would be necessary that laws should be framed, investing the principal Protector and his officers with every power of prompt and decisive interference which it may be found convenient and practicable to confer. In such a case, the analogies of the law of England, as administered amongst strangers, whether at home or abroad, will, in many respects, be found to fail. Administrative authority, more prompt than that of our Justices of the Peace, and less subject to technical forms and strict legal responsibilities, would probably be indispensable. I should also anticipate the necessity of providing some method by which the Protector might, under proper legal advice, and without infringing in any event the legitimate independence of judicial action, give immediate attention to all prosecutions instituted under his orders. In the Protector should also be vested a summary jurisdiction for arbitrating on all questions connected between the European and the Native settlers, with, perhaps, a right of appeal in the more weighty cases to the ordinary tribunals in the Colony. In the same way questions disputed among the Natives themselves should fall under the cognizance of the Protector, so far as this might be compatible with a due regard to any Native customs not in themselves immoral or unworthy of being respected.

Amongst Native customs there are some which it will be the duty of the Government not to tolerate. Of these, the chief are cannibalism, human sacrifice, and infanticide. With such violations of the external and universal laws of morality no compunction can be made, under whatever pretext of religious or superstition, opinion may have grown up. On the other hand, there are customs which, however pernicious in themselves, should rather be gradually overcome by the beneficent influence of example, instruction, and encouragement, than by legal penalties. And, finally, there are customs which, being rather absurd and impupak than directly injurious, may be borne with until they shall be voluntarily laid aside by a more enlightened generation. It is important to advert distinctly to this topic, because, without some positive declaratory law authorizing the Executive to coerce such customs, the law of England would prevail over them, and subject the Natives to much distress and many unprofitable hardships. It will, of course, be the duty of the Protectors to make themselves conversant with those Native customs, and to supply to the Government all such information as may from time to time be required on that subject. The more numerous and among the aborigines is, of course, indispensable to the success of any measures for their ultimate advancement in social arts and in the scale of political existence. I apprehend, however, that for the present this is a duty which could be properly undertaken only by the missionaries, or at least on some system to be formed in concurrence with them. I therefore confine myself to a mere indication of this subject as one which will demand, and which will doubtless receive, your careful attention whenever your leisure shall be sufficient for the purpose. For the present I abstain from touching on attempts at the topics connected with, and more or less connected from, the unscientific, it impresses me that the discussions which have so largely prevailed regarding the education in the colonies of the children of European settlers will not be permitted to obstruct the complete attainment of an object which might seem so little adapted for political debate,
as to the best method of imparting religious and other knowledge to the children of the native New Zealanders.

It appears to me an experiment fit to be tried, whether the sentiment and the habit of military obedience might be not crutched amongst those people in such a manner as to render them at once useful in maintaining the public peace and in resisting external aggression.

I have suggested no plan by diffidence, partly real and partly imaginary. To such difficulties it would be idle to oppose mere authority and a peremptory decision. But if it should be found practicable to try such an experiment as I have mentioned, on a very small scale, and with every due precaution, experience might reconcile the public mind to the extension of it, and the results might be such as I have anticipated.

It is only in proportion as either respect for the strength of the aborigines or a clear sense of the utility of the work possesses the public mind, that they will be placed beyond the reach of those oppressions of which other races of uncivilized men have been the victims. Great difficulty must be experienced in rendering their physical powers available in those various descriptions of manual labour for which so great a demand must exist and long continue in New Zealand.

On the part of the Natives themselves, we shall have to contend with all the bad habits of an inconstant, predatory, and wandering life, united to distrust of their employers, and inadequate appreciation of the rewards of industry. On the side of the employers, they must be expected to demand much more than the Natives can be reasonably expected to perform; great patience with his unskillfulness and errors; irregularity or an entire failure in paying the stipulated reward of his service; and a jealousy or aversion fatal to the growth of mutual confidence. Thus it is to be feared that the insatiable resource which might be found in the employment of the aborigines will be lost to the Colony, and that the civilizing influence of such employment will be lost to the aborigines, unless the solution of this practical problem be undertaken by the Government or by public officers expressly appointed for that purpose. Of the practical success which may be expected from the plan which I have recommended, the New Zealand life than the New Zealanders may be won over by gentleness and skill to execute laborious works (such, for example, as opening roads), I would refer you to the accompanying report, lately addressed to me by Captain Gray, a gentleman whom Her Majesty has appointed to the Government of South Australia, but whose observation of the aborigines of New Holland was made in the double character of a traveller and a magistrate in the Western Province. You will probably find some of his suggestions inapplicable to the state of New Zealand, but there can be little doubt of the applicability of the general principles he elucidates, namely, that savage men can best be converted into useful labourers by humouring all the innocent habits and tastes which have grown up with them; by avoiding every exaction of labour calculated to give them needless disgust or hardship as counteracting too directly these tastes and habits; by observing towards them the most exact punctuality and justice in paying the wages of their labour; by allowing or encouraging them in those modes of life which custom has made necessary to their health, however disagreeable to our own; and by establishing, as far as possible, barriers against the repley to barbarous usages of such as may be reclaimed from them. Especially would a wise foresight exhibit itself in the care of the children of the aborigines, and in providing for their moral, religious, and industrial education. In all these matters, the Government, the Protectors, and the missionaries should earnestly co-operate with each other; and every effort should be made to secure the cordial assistance of the more intelligent and wealthy settlers. Penalties, regulations, and even the percepts of religion will prove unavailing to effect from the Natives the changes impending over them, if these be not aided by experiments, wisely conducted, to show at once the practicability and the advantage of existing the services of these people in works of public utility.

Such experiments must be conceived and executed in the spirit of forbearance and patience; of a reasonable allowance for the defects of the savage character; and of a just faith in the susceptibility of improvement and culture, which belongs to men of every race and condition. I must also especially commend the recommendation of that of the Protectors acting under your presidency, and of the advice of their medical skill, and particularly of the effect of sudden changes in dress, diet, and modes of living, on the health and longevity of men brought up from infancy in the habits of savage, or at least of uncivilized, existence. To the neglect of these rules, or to the hasty and inconsiderate formation of them, is perhaps to be attributed much of that rapid mortality which has attended all such tribes when taken under the care of European guides, even though animated by the most lively solicitude for their welfare. Of course it belongs to men educated in the medical art, and conversant with the physiology of the human frame and constitution, to reduce this general suggestion into any definite and useful form; but I believe that all experience concurs to show that the judicious care of savage by civilized men, though not the usual, is yet a fatal cause of their premature decay.

I have insisted on this subject at great length, and have thus brought together the most material suggestions which have occurred to me respecting it, rather from the deep sense which, in common with all ranks of people in this country, I entertain of its importance, than from any considerable hopes that it could be in my power, at this distance, to guide your deliberations on a question at once so serious and obscure. It is necessary that you should possess, and it is far from my wish to withhold from you, an unshakable freedom of judgment as to the choice of the most effectual means for promoting the ends respecting which there can be no difference between us. These ends are, the protection of the aborigines from injustice, cruelty, and wrong; the establishment and maintenance of friendly relations with them; the diversion into useful channels of the capacities for labour, which have hitherto been lying dormant; the assistance of every possible tendency towards the formation of their habits on the lines of improvement of their industry, and the advancement of their moral and intellectual faculties; and the diffusion, under the sanctions of their religion, of the blessings of Christianity. If the experience of the past compels me to look forward with anxiety to the too probable defeat of these purposes by the sinister influence of the many passions, prejudices, and physical difficulties with which we shall have to contend, it is, on the other hand, my duty and your own to avoid yielding in any degree to that despair of success which would assuredly render success impossible. To rescue the Natives of New Zealand from the calamities of which the approach of civilized man to barbarous tribes has hitherto been the almost universal
The sale and settlement of waste lands is the next of the general topics to which I propose to advert in this Despatch.

The Marquis of Normandy has anticipated and provided for the great and peculiar difficulty by which the regular colonisation of New Zealand was impeded. I refer, of course, to the large claims advanced by persons in virtue of contracts or grants said to have been made by the Native chiefs. In my present want of information as to the measures which may have been taken to give effect to his instructions, I can state merely that Her Majesty’s Government perceive no reason for rescinding from them. It is absolutely necessary, 1st, That a commission should ascertain, and that the law should determine, what lands are private and what are public property; and, 2ndly, That all lands held by private persons, and not actually in cultivation, should be subjected to an annual tax, the non-payment of which should be followed by the confiscation and seizure of the land. Until this is done, there can be no reasonable prospect of the Colony making any effectual advance in agriculture, wealth, or sound internal policy.

On the other hand, I am willing to admit that it is not desirable that the execution of any such commission should be intrusted to any person acting under the bias of any interest, real or supposed, in favour of any particular class or body of persons, or in favour of the adjacent Colonies, or any of them. The aims of restoring to New South Wales for legislation on this subject, and for officers to conduct this service, was adopted by Her Majesty’s Government reluctantly, but was at the time the only plan which appeared practicable. The execution of a local legislature at New Zealand, and the final establishment of the Queen’s sovereignty there, have removed these difficulties; and if, on the receipt of this Despatch, a commission appointed by the Government of New South Wales, under a law passed in that Colony, shall be in force in New Zealand, you will take the earliest opportunity for superseding both the commission and the law, by the enactment of a local Ordinance for the same general purposes, and by issuing a commission in favour of persons combining, with the other requisite qualifications for the task, the great advantages of so much impartiality, and as much exemption from the suspicion of any partial bias, as can be found at your disposal.

When the desirous of the Crown shall thus have been clearly separated from the lands of private persons, and from those still retained by the aborigines, the sale and settlement of that domain will proceed according to the rules laid down in the accompanying Instructions under the royal sign-manual. It would be superfluous either to repeat or to abridge these Instructions in this place. It may be sufficient to say, that they proceed on the following fixed principles: namely, 1st, That all the lands of the Crown are to be surveyed as promptly and as accurately as may be compatible with the means you possess. 2ndly, That from the lands so surveyed are to be reserved, for the use of the public at large, all tracts which are likely to be required for purposes of public health, utility, convenience, or enjoyment. 3rdly, That no public land is over to be disposed of gratuitously. 4thly, That the surveyed districts, as they are successively opened for settlement, are to be disposed of by public sale at one uniform price. 5thly, That every possible method is to be adopted for expenses of the Land Department, including surveys, and such other works as may be indispensable to give an exchangeable value to the land. 6thly, That from the surplus no deduction be ever made for the indispensible expenses of the public service, and for the benefit of the aborigines, exceeding 50 per cent. on the net proceeds of the year. 7thly, That this deduction of 50 per cent. be never made except in so far as there may be a well ascertained deficiency of other funds for such services. 8thly, That 50 per cent. of the net proceeds at least be expended annually in the removal of emigrants from this country. 9thly, That the removal of such emigrants be effected by the Colonial Land and Emigration Commissioners, or under their direction and superintendence.

In the case of New Zealand, the general rules by which this branch of the public service will be regulated. It remains to notice the special case of the Society who have been acting under the title of “The New Zealand Land Company,” and who have laid claim to some millions of acres of land in the neighbourhood of Port Nicholson. On that subject I would, however, observe in this place, only, that I have entered upon what I trust will be a satisfactory adjustment of these claims. But the subject will be treated of at large in another and separate communication.

VI. The topic to which I propose to advert last, is that of the care of education of youth, and of the religious instruction of the colonists. All important as this topic is, it may, however, be briefly disposed of here. It is not, for instance, implied in the general terms on which the above-mentioned Colours for your guidance, you will propose the enactment of a similar law to the Legislature of New Zealand. One important qualification is, however, indispensable. It must be provided that the contributions from the local Treasury to this object shall never in any year exceed some definite proportion, perhaps a tenth or a twentieth, of the net revenue. By giving a more absolute and unlimited pledge, the representatives of the older Colonies have involved their Treasuries in obligations which it is scarcely possible to fulfil.

The preceding instructions are, of necessity, drawn up in general terms. If they shall not be found to relieve you from much of the responsibility of your office, they will, I trust, at least serve to indicate the views by which Her Majesty’s Government are actuated, and the objects which they chiefly desire to attain in the settlement of this new Colony; and they will at least direct your own attention to many topics which experience shows are too often unheeded in the administration of our Colonial Governments.

Viceregent.
Governor Nelson.
J. Buskell.
No. 21.

CHAPTER for erecting the COLONY OF NEW ZEALAND, and for creating and establishing a Legislative Council, and an Executive Council, and for granting certain Powers and Authorities to the Governor for the time being of the said Colony.

VICTORIA, &c., to all to whom these presents shall come, greeting:

WHEREAS by an Act of Parliament made and passed in the fourth year of our reign, intitled, &c.

Provided always, that nothing in those acts our Letters Patent contained shall affect or be construed to affect the rights of any aboriginal natives of the said Colony of New Zealand to the actual occupation or enjoyment in their own persons, or in the persons of their descendants, of any lands in the said Colony now actually occupied or enjoyed by such Natives.

No. 22.

EXTRACT FROM INSTRUCTIONS.

VICTORIA.

INSTRUCTIONS to the trusty and well-beloved WILLIAM HOBSON, Esq., our Governor and Commander-in-Chief in and over our Colony of New Zealand, or in his absence to our Lieutenant-Governor, or the Officer Administering the Government of the said Colony for the time being. Given at our Court at Buckingham Palace, the 9th day of December, 1840, in the fourth year of our Reign.

1. WHEREAS in pursuance and exercise of the powers in us vested, and by a certain Act of Parliament made and passed in the fourth year of our reign, intitled, &c.

21. And we do further direct that you do not propose, or assent to any private Ordinance whatever, whereby the property of any individual may be affected, in which there is not a saving of the rights of us, our heirs and successors, and of all bodies politic and corporate, and of all other persons existing at whose instance or for whose special benefit such Ordinance may be passed, and these claiming by, from, through, and under them.

37. And whereas by the said vested charter we have given and granted to the Governor of our said Colony of New Zealand for the time being, full power and authority, with the advice and consent of the Executive Council of our said Colony (but subject nevertheless to such provisions as should be in that respect contained in any instructions which might from time to time be addressed to him in that behalf), by any Proclamation or Proclamations, to divide our said Colony into districts, counties, hundreds, towns, townships, and parishes, and to appoint the limits thereof respectively, and to make and execute in our name and on our behalf, under the Public Seal of our said Colony, grants of waste land to us belonging within the same to private persons for their own use and enjoyment, or to any persons or bodies politic or corporate, in trust for the public use of our subjects there resident, or any of them: Provided, nevertheless, that nothing in the said charter contained shall affect or be construed to affect the rights of any aboriginal natives of the said Colony to the actual occupation or enjoyment in their own persons, or in the persons of their descendants, of any lands in the said Colony then actually occupied or enjoyed by such Natives. Now we do hereby authorize and require you to cause a survey to be made, in manner hereinbefore mentioned, of all the lands within our said Colony; and you are for the purpose from time to time to issue instructions to the Surveyor-General for the time being of our said Colony, and to divide and apportion the whole of the said Colony into counties, each of which shall contain, as nearly as may be, 40 miles square, and to apportion each county into hundreds, of which each hundred shall, as nearly as may be, comprise an area of 100 square miles, and again to subdivide each hundred into parishes, of which each parish shall, as nearly as may be, comprise an area of 25 square miles; and you are to instruct the said Surveyor-General that in making the division aforesaid of our said Colony into counties, hundreds, and parishes, he do have regard to all such natural divisions thereof as may be formed by rivers, streams, highlands, or otherwise; and that whenever in order to obtain a clear and well-defined natural boundary of any county, hundred, or parish, it shall be lawful and necessary to include therein a greater or a smaller quantity of land than is hereinbefore mentioned, he the said Surveyor-General do make such deviations from the prescribed dimensions of such county, hundred, or parish as may be necessary for obtaining such natural boundary, provided that such county, hundred, or parish shall in any case exceed or fall short of the dimensions before prescribed to the extent of more than one third part of such dimensions.

61. And it is our further will and pleasure that you do to the utmost of your power promote religion and education among the Native inhabitants of our said Colony, or of the lands and islands thereunto adjoining, and that you do especially take care to protect them in their persons and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injuries which may in any manner be practiced or attempted against them, and that you take such measures as may appear to you to be necessary for their conversion to the Christian faith, and for their advancement in civilization.

No. 23.

Lord JOHN BURKE to GOVERNOR HOBSON.

Sir,—

Referring to my Despatch No. 1, of the 9th December, 1840, and especially to that part of it which relates to the protection of the aborigines of New Zealand, I have now to convey to you the following additional instructions on that subject:—I have the result of the consideration which, since the date of that Despatch, has been in my power to give to this very serious and important branch of the duties of the Executive Government in reference to that Colony.
1. Her Majesty, in the Royal Instructions under the sign-manual, has distinctly established the general principle that the territorial rights of the Natives, as owners of the soil, must be recognized and respected, and that no purchases hereafter to be made from them shall be valid unless such purchases be effected by the Governor of the Colony on Her Majesty's behalf. It remains, however, to be stated, that the lands of the Aborigines shall be defined with all practicable and necessary precision on the general maps and surveys of the Colony. The Surveyor-General should also be required, from time to time, to report what particular tract of land it would be desirable that the Natives should permanently retain for their use and occupation. These reports should be referred to the Protector of Aborigines, and the lands indicated in them or pointed out by the Protector as essential to the well-being of the Natives should be regarded as inalienable, even in favour of the local Government, after the Governor, with the advice of the Executive Council, shall have ratified and approved the surveyor's report, and the suggestions of the Protector. Such inalienable tracts should, as far as possible, be defined by natural and indubitable landmarks.

2. It would appear to be the custom or understanding of the Natives that the lands of each tribe are a species of common property, which can be ascertained on behalf of the tribe at large only by the concurrent acts of its various chiefs. But this statement of so obscure a fact may be inaccurate, and it may possibly be the prevalent opinion amongst some of the tribes that an individual has a valid title to a particular tract, or at least has the power of disposing of it for his own benefit. Whatever may be the custom or prevailing notion amongst them regarding the right of property in land and the right of alienation, a law should be enacted declaring the absolute invalidity of any conveyance or contract or will for the disposal of land by any Native chief or chiefs, or by any individual Native, when the object of that contract or conveyance or will is to transfer to any person of European birth or descent the land itself, except as thereafter excepted. The law should also forbid the taking in execution of any such land, or interest in land, at the suit of any person of European birth or descent. These prohibitions may be qualified by an exception authorizing such contracts, conveyances, wills, or executions, when expressly authorized by the Governor on the report of the Protector of Aborigines.

3. As often as any sale shall hereafter be effected in the Colony of lands acquired by purchase from the Aborigines, there must be carried to the credit of the Department of the Protector of Aborigines a sum amounting to no less than 15 nor more than 20 per cent. in the purchase money, which sum will constitute a fund for defending the charge of the Protector's establishment, and for defraying all other charges which, on the recommendation of the Protector, the Governor and Executive Council may have authorized for promoting the health, civilization, education, and spiritual care of the Natives. Such sums, when not immediately required, must be invested in the best securities which can be obtained in New Zealand or in New South Wales, in the name of the Governor. If at any future time the fund should be found to exceed every reasonable demand for this service, any unliquidation of it may be suspended until the want of additional funds for these purposes shall become apparent, or shall be reasonably anticipated. But, generally speaking, the proceeds will be probably expended within the year.

4. The Commissioner who is to be appointed for investigating the titles to land may, in any case where such a measure shall be found expedient, be invested with a special and summary jurisdiction for determining controversies regarding land which may arise between different tribes, or between different members of the same tribe.

5. A law should be passed constituting the Protector of Aborigines the advocate or attorney or as for the Natives in all suits, prosecutions, and other proceedings to which they may become parties in any of the ordinary tribunals of the Colony, and every such advocate or attorney, and every person acting by delegation from him, and in his name, should be invested with the most ample facilities for representing and acting on behalf of such client.

It is of course impossible for me to do more than indicate in general terms the rules which should then be established, and the principles on which they proceed. I confidently rely on your own zeal and skill, and on the principles into effect in the best manner which the actual circumstances of the case may admit. The Protector of Aborigines will, at the close of each half-yearly review, report to you a full report of his administration and proceedings, embracing with the utmost possible exactness every topic connected with the increase or decrease of the numbers, the social and political condition, the education, and the intellectual, moral, and religious improvement of the objects of his care. No pay or on account of the Protector's salary must on any account be made so long as any such report is in arrear. You will transmit each report as it reaches you to Her Majesty's Government, accompanied by all such additional statements and remarks as it may appear to you to require or to suggest.

I have, &c.,
Governor Hobson.

J. BALNEF.

No. 24.

Proclamation by His Excellency Captain Hobson, Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies, &c., of the appointment of the Governor and Councils.

WHEREAS Her Majesty has been graciously pleased, by Commission under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the 16th day of November, in the year of our Lord 1840, to constitute and appoint me, William Hobson, Esq., Captain in Her Majesty's Navy, to be Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its dependencies: I, therefore, the Governor and Commander-in-Chief aforesaid, do hereby proclaim and declare that I have this day taken the prescribed oaths, and assumed the administration of the Government accordingly.
And I do hereby further proclaim and declare, that Her Majesty has been pleased to appoint an Executive Council for the said Colony, and to nominate and appoint the undermentioned persons to be members thereof; that is to say, the Colonial Secretary of the said Colony for the time being, the Attorney-General of the said Colony for the time being, and the Colonial Treasurer of the said Colony for the time being.

And I do hereby further proclaim and declare, that Her Majesty has been further pleased to appoint a Legislative Council for the said Colony of New Zealand and its dependencies, and to appoint and direct that such Legislative Council shall be formed and shall consist of the following members:—His Excellency the Governor for the time being, the Colonial Secretary for the time being, the Attorney-General for the time being, the Colonial Treasurer for the time being, and the three senior Justice of the Peace, nominated as such in any Commission of His Peace to be issued by me the said Governor and Commander-in-Chief, or by the Governor or Acting-Governor for the time being.

The Governor, fully impressed with the magnitude and importance of the duties thus confided to him, is supported by the hope that Almighty God will bless his best efforts to give full effect to these Her Majesty's most gracious measures for the establishment of peace and order in this important Colony; and he relies with confidence on the loyalty of the colonists, and on the hearty co-operation with the Government in cultivating those feelings of mutual good-will which alone can insure to them the future benefit of Her Majesty's solicitude for their welfare and prosperity.

The Governor avails himself of this occasion to appeal to the good feelings of the colonists generally in favour of their fellow-subjects of the Native race, who require only instruction and good example to become equal to Europeans in moral, as they already are in physical, attainments; and to point out to all who really have the true interests of the country at heart, the propriety of conciliating their affections by making every charitable allowance for their defects, and by conducting all intercourse with them in a spirit of justice and forbearance.

The Governor trusts that he will be afforded the satisfaction of hereafter knowing that his endeavours for the accomplishment of Her Majesty's gracious and benign views have not been employed in vain.

Given under my hand and seal, at Government House, Auckland, this 3rd day of May, in the fourth year of Her Majesty's reign, and in the year of our Lord 1841.

By His Excellency's command,

WILLIAM HOBSON,
Governor.

No. 25.

Proclamation by His Excellency Captain William Hobson, Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies.

WHEREAS Her Majesty has been pleased, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the 16th day of November, in the year of our Lord 1840, to erect the Islands of New Zealand into a separate territory, by the name of Her Majesty's Colony of New Zealand: Now therefore, I, the Governor and Commander-in-Chief, by Commission under the Great Seal appointed, do hereby notify and proclaim, that under Her Majesty's said Letters Patent, the Islands of New Zealand are henceforth to be designated and known as Her Majesty's Colony of New Zealand and its Dependencies. And I do hereby further notify and proclaim, that, Her Majesty has been pleased to direct that the three principal islands of New Zealand, herebefore known as or commonly called the Northern Island, the Middle Island, and Stewart's Island, shall henceforward be designated and known respectively as New Ulster, New Munster, and New Leinster, of which all Her Majesty's subjects are hereby required to take notice.

Given under my hand and seal, at Government House, Auckland, this 1st day of May, in the fourth year of Her Majesty's reign, and in the year of our Lord 1841.

By His Excellency's command,

WILLIAM HOBSON,
Governor.

No. 26.

Mr. Sowerby to Lord John Russell.

New Zealand House, Broad Street Buildings, 22nd October, 1840.

My Lord,—

The gentlemen who have been associated under the name of the New Zealand Company, for the purpose of promoting the settlement of New Zealand, have hitherto been in a position which has prevented their communicating with Her Majesty's Government; but it has been, we can assure your Lordship, a subject of great, and constant regret to them that they have found themselves, in the execution of a task so interesting to the British public, placed in a position of ostracism from the Government of their country. Believing that by their efforts in the cause of colonization they might have promoted the benevolent views of Government, they were also convinced that without the sanction of Government their exertions must fail in producing the results which, with its countenance, they might reasonably hope to reach.

It is, therefore, with great satisfaction that the Company perceives the recent Proclamations of Captain Hobson, whereby New Zealand is made a British colony, an opening for a satisfactory adjustment of its own position, and of its relations with Her Majesty's Government.

The scene of the Company's operations is now part of Her Majesty's dominions; its property is now under the protection of Her Majesty and of the laws of England. The Company now appears before your Lordship with the hope, that as the act of taking possession of New Zealand has removed almost all the objections which the Government has hitherto seen in the way of a recognition of the 10
Company, it may now look to receive from the Government that co-operation which its past exertions in an object of great public utility give it some ground to expect. It has also become of great importance to the Company that we should, without delay, know in what light the Government intends to regard the rights which have been acquired by the Company, as well as by other persons who have purchased land and expended money in the settlement of New Zealand. The Company trust that your Lordship will be of opinion—that the causes which have hitherto prevented their communication with the Government are now removed, and that you will see no objection to acquainting us with the terms on which you would be disposed to sanction our corporate existence, to determine our present claims, and to regulate our future operations.

As the Company's interest and that of the settlers who have emigrated under their guidance must necessarily be very deeply affected by the course which Her Majesty's Government may have resolved to adopt with reference to the government and colonization of New Zealand, I may perhaps venture to request that your Lordship will be pleased to inform us of the general principles by which the Crown proposes to be guided in its measures for these purposes.

I have, &c.,

Joseph Homes, Esq.

No. 27.

Mr. Vernon Smith to Mr. Smith.

Dundrell, 29th October, 1849.

I am directed by Lord John Russell to acquaint you that he has had under his consideration your letter of the 22nd instant, written on behalf of the gentlemen who have been associated under the name of "The New Zealand Company," in which you inquire in what light the Government intended to regard the rights which have been acquired by the Company, and on what terms the Government would be disposed to sanction their corporate existence, to determine their present claim, and to regulate their future operations.

In consequence of Lord John Russell's absence from town it has been impossible, at this period, to return a definite answer to your inquiry, but I am instructed by his Lordship to state, that in a few days the draft of an arrangement will be transmitted to you, and that his Lordship cannot anticipate that there will be any conditions to which the Company will consent any serious objections.

I have, &c.,

Joseph Homes, Esq.

No. 28.

Mr. Vernon Smith to Mr. Smith.

Dundrell, 19th November, 1849.

Lord John Russell has had under his consideration the letter which, on the 22nd ultimo, you addressed to him on behalf of the gentlemen who have been associated under the name of "The New Zealand Company." In reference to my letter of the 29th October, informing you that in a few days the draft of an arrangement would be transmitted to you, and that Lord John Russell could not anticipate that there would be any condition to which the Company would consent any serious objection, I now, by his Lordship's direction, transmit to you the draft.

Lord John Russell would be glad to be informed whether the Company are disposed to accede to the terms which are there proposed. In that event his Lordship will be prepared to consider the draft of any charter of incorporation which the Company may be disposed to receive; and which in the instance should be prepared by themselves. On receiving an indication of the Company's assent to this proposal, Lord John Russell will answer that part of your letter of the 22nd October, which requests information respecting the general principles by which the Crown proposes to be guided in its measures for the government and colonization of New Zealand.

I have, &c.,

Joseph Homes, Esq.

Enclosure in No. 28.

Agreement.

The arrangements to be entered into between Her Majesty's Government and the Association who have been hitherto acting under the title of "The New Zealand Company," may be arranged under the following heads:

I. The adjustment, retrospectively, of the claims which the Company has established to favourable consideration for themselves and for the emigrants whom they have sent to New Zealand.

II. The incorporation of the Company, with a view to future operations.

III. The powers which will be vested in the incorporated body, and the terms on which the Government will deal with them in regard to Crown lands in New Zealand.

IV. First, then, with regard to the retrospective adjustment of the claims of the Company.

1. The Company have invested large sums of money in the purchase of lands in New Zealand from the Native chiefs and others; in the taking up, surveying, and dispatching ships for the conveyance of emigrants thither; in the maintenance of such emigrants before and during the outward voyage; in the purchase and transportation of stores for the public use of the settlers collectively on their arrival; in surveys; in the erection of buildings on the execution of other works dedicated exclusively to the public service of the settlement; and in other heads of expenditure or absolute liabilities unavoidably required or reasonably incurred for the above-mentioned purposes; it...
is agreed that an estimate be forthwith made of this outlay, under the different heads thus enumerated. In making that estimate, no item shall be admitted which shall not be found to have been just and moderate in amount, and fairly demanded by the exigencies of the service to be performed.

2. The above-mentioned estimate shall be made by one or more accountants, to be named by Lord John Russell, as he shall think fit. His Lordship would propose for this purpose Mr. James Pennington, who should be assisted by such clerks and copyists as he might have occasion to employ.

3. If necessary, Lord John Russell will also nominate an accountant to execute, on the same terms, the corresponding duty within the Colony itself, in reference to such parts of the above-mentioned expenditure as can be correctly ascertained and calculated there only.

4. In the event of the above-mentioned expenditure shall have been ascertained, the Company shall be secured by a grant from the Crown to them, under the public seal of the Colony, of so many acres of land as shall be equal to four times the number of pounds sterling which they shall be found to have expended in the manner and for the purposes above-mentioned: such expenditure, so far as it may have been incurred in this country, to be calculated down to the date of the present agreement; and so far as it may have been incurred in the Colony, to be calculated down to the time of the receipt by the Governor of a copy of the agreement.

5. The lands so to be assigned to the Company shall be taken by them in that part of the Colony of New Zealand at which their settlement has been formed, and to which they have laid claim in virtue of contracts made with them by the Natives or others, antecedently to the arrival of Captain Hobson, as Her Majesty's Lieutenant-Governor at New Zealand. Within those local limits, the Company shall select the lands so to be granted to them. The selection is to be made within six months after the receipt by the Governor of a copy of this agreement.

6. The lands to be so selected, as last aforesaid, shall comprise all tracts to which any person has derived title through them; provided that such tracts be situate at or in the neighbourhood of Port Nicholson, or at or in the neighbourhood of New Plymouth; and also provided that such tracts shall not collectively amount to more than 160,000 acres; and provided further that no such tracts shall be such as, regard being had to the general interests of the colonists at large, ought to be reserved and appropriated for any purposes of public utility, convenience, or recreation. With the exception of the above-mentioned tracts, the land to be selected by the Company as aforesaid shall be taken by them in one or more blocks. Of such blocks, any number not exceeding six may be of the size of not less than 6,000 acres each, and the rest of the size of not less than 30,000 acres each. Every such block shall be one continuous tract. Each block shall be bounded, as far as may be possible, by the natural landmarks of the country. As far as such natural landmarks may admit, each block shall be as nearly as possible a solid parallelogram, of which no one side shall be more than twice the length of any other side.

7. It is, however, to be distinctly understood, that if, previously to the receipt of a copy of this agreement by the Governor of New Zealand, any tracts of land to which any person derives title through the Company should by the local Government have been lawfully entered upon and assumed on behalf of Her Majesty, and should have been lawfully granted or located to any other person or persons, nothing herein contained shall be construed as extinguishing the rights of any such new grantees or locators, or as binding the Government to any specific restitution of such lands, or to make compensation to the persons so dispossessed for the loss of them.

8. The Government will complete the survey of the external lines of every block of land assigned to the Company, but will not effect the interior survey or subdivision of it. The Company will be allowed, in account with the Government, credit for the amount saved to the Government by leaving the interior survey of the above-mentioned blocks unmade. For the amount of the credit which may so accrue to the Company, they shall be entitled to demand from the Government payment in land at the price at which, at the time of making any such demand, the waste lands of the Crown shall be selling in New Zealand: Provided always, that the credit so to accrue to the Company for the amount of the credit shall be estimated according to the average scale hereafter to be settled, in which scale the average price of the surveys of land shall be fixed and determined. That scale shall be drawn up by arbitrators, of whom two shall be chosen by the Government and two by the Company, the majority of whom shall have power to determine the average price of surveying for every 1,000 acres. If the four arbitrators should be equally divided in opinion as to what ought to be allowed for such average price, they shall appoint an umpire, whose decision on the question in dispute shall be final.

9. The lands thus to be granted to the Company are to be held by them subject to all such general laws and regulations as are, or at any time shall be, in force in New Zealand in reference to other lands granted to private persons there; and especially to all laws having for their object the opening of public roads, wharves, quays, or other such like works, and securing to the public at large free access to, and the free use of, all seaports, landing places, and navigable rivers.

10. All public works and buildings included in the above-mentioned estimate are to vest in, and become the property of the Crown, in trust for the public use of the Colony, should the Governor require them for such purpose.

11. The Company forever and for ever disclaim all title, or pretence of title, to any lands purchased or acquired by them in New Zealand, other than the lands so to be granted to them as aforesaid, and other than any lands which may hereafter be purchased or acquired by them from the Crown, or from persons deriving their title from the Crown.

12. The Company having sold, or contracted to sell, lands to various persons, Her Majesty's Government will not, in consequence of this agreement, be making good any such sales or contracts; it being, nevertheless, understood that the Company will, from the lands so to be granted to them as aforesaid, fulfil and carry into effect all such sales or contracts.

13. It being also understood that the Company have entered into engagements for the reservation of certain lands for the benefit of the Natives, it is agreed that, in respect of all the lands so to be
granted to the Company as aforesaid, reservations of such lands shall be made for the benefit of the Natives by Her Majesty's Government, in fullness of, and according to the tenor of, such stipulations; the Government reserving to themselves, in respect of all other lands, to make such arrangements as to them shall seem just and expedient for the benefit of the Natives.

II. With regard to the incorporation of the Company.
1. Her Majesty will be advised to grant a charter of incorporation to the Company.
2. The charter will contain all such conditions as may appear to Her Majesty's Government to be necessary for the good government of the Company, and for the security of the public at large in dealing with them.
3. The charter will be granted for the term of forty years, and will contain provisions enabling the Crown within that term to rescind the charter, and to purchase the lands and other property of the Company on just and equitable terms, if the public interest should require such a rescission and purchase.
4. The objects of the incorporation will be declared to be the purchase, sale, settlement, and cultivation of lands in New Zealand, and the advancement of money on the security of lands situate there, for promoting the cultivation of such lands.
5. As incidental to these main objects, the Company will be authorised to purchase and hire ships, and to engage with emigrants for their passage to the Colony: it will expressly stipulate that all such ships and emigrants shall be under the superintendence of, and approved by the Government of its officers in this country and in the Colony.

No. 29.
Mr. Smith to Lord John Russell.
New Zealand House, Bent Street Buildings,
19th November, 1840.

My Lord,—
I have the honor to acknowledge the receipt of a letter dated the 18th instant, from Mr. Vernon Smith, enclosing, by your Lordship's directions, the draft of the arrangement proposed by your Lordship.

These have been laid before the Court of Directors at its meeting this day; and I have great pleasure in being able to assure your Lordship in their name, as well as my own, that the terms are not only such as we know no hesitation in accepting, but that, in the liberal and judicious principles on which they are framed, we see ample ground for the fullest confidence in the spirit in which Her Majesty's Government is prepared to execute them.

The Court of Directors has given instructions for preparing without delay the draft of a charter of incorporation, which will, I trust, in a few days, be submitted for your Lordship's approval.

I am also desired by the Court to acknowledge with gratitude the intimation contained in Mr. Vernon Smith's letter, of your Lordship's intention of communicating the information which was requested respecting the arrangements by which the Crown proposes to be guided in its measures for the government and colonization of New Zealand.

I have, &c.

The Right Hon. Lord John Russell.

No. 30.
Lord John Russell to Governor Sir George Gipps.

Sir,—
I have received your Despatch No. 29, of the 26th of May last, transmitting a copy of the address with which you supported the session of the Legislative Council of New South Wales, and in which you stated that a Bill to empower the Governor of New South Wales to appoint Commissioners to examine and report on claims to grants of land in New Zealand, would be proposed for the consideration of that body.

* These blanks were subsequently filled up.
I transmit to you, herewith, copies of a correspondence which has passed between this Department and the gentlemen associated under the name of "The New Zealand Company," with regard to the rights which may have been acquired by the Company, and the terms on which their corporate existence would be continued by Her Majesty's Government.

You will defer the execution of any powers that may be given to you by the Bill above alluded to, should it pass into a law, until you shall receive further instructions from me on the subject.

You will understand, however, that it is not my intention to abandon the plan of instituting a commission to inquire into the titles or claims to land in New Zealand, but that, on the contrary, I fully intend to carry it into execution; and that I write the present instructions in order that means may be taken for executing it with the greatest accuracy, as well as acknowledged impartiality. For this purpose I shall probably find it necessary to send out a Commissioner from this country.

I am, Sir,

J. RUSSELL.

No. 31.

Mr. Vernon Smith to Mr. Somers.

Sir,—

Downing Street, 2nd December, 1840.

I am directed by Lord John Russell to acknowledge the receipt of your letter of the 19th ultimo, in which you signified to his Lordship the acceptance by the New Zealand Company of the arrangements proposed in my letter of the 18th ultimo. In allusion of the promises contained in that letter, Lord John Russell further directs me now to state to you, for the information of the Company, what are the general principles by which the Crown proposes to be guided in its measures for the government and colonization of New Zealand.

In the first place, Lord John Russell wishes that it may be distinctly understood that, in explaining the arrangements which the policy of the Queen, on the recommendation of Her Majesty's confidential advisers, has been pleased to adopt in reference to New Zealand, his Lordship enters into no pledge, either express or implied, for the continuance of that policy, if at any future time it should be thought right to change or to abandon it. Reserving to the Ministers of the Crown the most unqualified discretion as to the advice which they shall give from time to time, he sends to Her Majesty on this subject, Lord John Russell is happy to make such a disclosure of his present views as may assist the Company in the prosecution of the undertaking in which they are engaged.

The instruments for creating New Zealand into a Colony entirely separate from and independent of New South Wales have been completed, and will be forwarded by the earliest opportunity to Captain Hobson.

In pursuance of the powers vested in the Crown by an Act passed in the last Session of Parliament, the Queen has been pleased, by a charter under the Great Seal, to constitute a local Legislature authorized to make laws for the peace, order, and good government of Her Majesty's subjects in New Zealand. That Legislature is, for the present, composed of the chief officers of the local Government, associated with some of the principal inhabitants of the Colony.

With regard to all lands in the Colony acquired under any other title than that of grants made in the name and on the behalf of Her Majesty, it is proposed that the titles of the claimants should be subjected to the investigation of a commission to be constituted for that purpose. The basis of that inquiry will be the accession on behalf of Her Majesty of title to all lands situate in New Zealand, which, at the commencement of the British occupation of the country, and in return for some adequate consideration, Lord John Russell is not aware that any exception can arise to this general principle; but if so, every such exception will be considered on its own merits, and dealt with accordingly.

It is proposed to apply to all other British subjects the rule to which the New Zealand Company will be subject in respect of the lands claimed by them within the Colony; that is, all other persons claiming lands there will have confirmed to them, by grants under the Public Seal, as many acres as shall be equal to four times the number of pounds sterling invested by them in the manner mentioned in the arrangements with the New Zealand Company. This advantage, however, will be offered only to those whose lands were acquired before the 6th day of January, 1840, the date of the Proclamation issued by Sir George Gipps on the subject.

Her Majesty is, in the most decided terms, withheld from the Governor of New Zealand the power to grant any land in that Colony gratuitously, to any person whatever. This prohibition does not, of course, apply to the case of grants of lands which it may occasionally be convenient to make to persons, in trust for the public, of trade or pieces of land which it may be found convenient to dedicate to purposes of general utility; as, for example, roads, fortifications, public pleasure grounds, cemeteries, and the like.

It is proposed that, with the exception of lands reserved or granted in trust for the purposes before mentioned, all the lands of the Colony should be sold progressively as surveys shall be completed, at one uniform price, which, for the present, is fixed at 2s. per acre. The mode of effecting such sales, and whatever else relates to the conduct of that service, will at all times be explained to parties applying for such information by the Colonial Land and Emigration Commissioners.

It is proposed that at least 80 per cent. of the proceeds of each sale shall be applied towards the introduction of emigrants, the remaining 20 per cent. being regarded as chargeable with the expenses of surveys, with the payment of the Administration, and with those indispensable expenses of the local Government for which it may be impossible otherwise to provide.

I am, etc.,

Joseph Somers, Esq.

B. VERSON SMITH.
My Lord,—

I have now the honor to transmit, for your Lordship’s approval, the draft of a charter, incorporating the New Zealand Company.

Two points remain to be determined, which were left blank in the draft of arrangement accompanying Mr. Vereen Smith’s letter to me of the 18th November last; viz., the amount of the Company’s capital, and the rate of discount to be allowed to the Company on its future purchases.

The Directors propose that the subscribed capital should be fixed at £500,000, with power to increase it to £1,000,000. Of the £500,000 the sum of £100,000 has been already paid up, and the Company will be prepared to pay up £100,000 more within twelve months; of which last-mentioned sum £50,000 will be paid within six months, and the remaining £50,000 within the twelfth month. The payment to be proved to the satisfaction of the account to be appointed by your Lordship; and if the conditions of payment be not complied with, the charter to be absolutely null and void.

With respect to the rate of discount to be allowed on all future purchases of not less than 60,000 acres of land at one time from the Government, the Directors beg to suggest 25 per cent. as a reasonable scale of remuneration to the Company.

In transmitting the draft of the charter, I run further to observe, that the arrangements between your Lordship and the Company contains a stipulation that the charter shall endure for the term of forty years, and that it shall be lawful for Her Majesty’s Government, at any time within that period, to annex the charter and dissolve the Company, and take possession of its property or granting it full compensation for the same. We have not been able to find any precedent to this effect in previous charters, and no provision for it has been made in the draft now submitted. I am desirous to see this opportunity of stating to your Lordship that we entertain strong objections to the proposed remuneration, inasmuch as it would present a serious difficulty in the way of raising the large additional capital which I have named; since all the arrangements of the Company must be made with reference to the termination of its existence in forty years, it is necessary for the permanent stability of our operations would thereby be materially diminished. I have therefore to prefer to your Lordship, most respectfully, our earnest request that your Lordship will not insist upon a proviso which we fear may operate very injuriously to our ultimate success.

I am, &c.

Joseph Somes.

Governor.

No. 33.

Mr. Vereen Smith to Mr. Somes.

Sir,—

I am directed by Lord John Russell to acknowledge the receipt of your letter of the 11th instant, enclosing the draft of a charter for incorporating the New Zealand Company; and I am to acquaint you that His Lordship has referred that draft to the Attorney and Solicitor General for their revision, and has informed them that the Company have been requested to instruct their agents to attend with them all necessary explanations on the subject. Lord John Russell has also called the attention of the law officers of the Crown to the necessity of expediting this business as much as may be practicable. I am therefore to request that you would move the Company to instruct their agents to fix an appointment with the Attorney and Solicitor General, at the earliest period which they can conveniently assign, for the purpose of revising and settling this draft.

I am, &c.

B. Vereen Smith.

THE ChARTERS OF THE NEW ZEALAND COMPANY, INCORPORATED A.D. MCCOY.

No. 34.

No. I.—CHARTER OF INCORPORATION, 12TH FEBRUARY, 1842.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, Greeting: Whereas divers persons have united together, under the name of "the New Zealand Company," to establish a Company for the settlement and improvement of our Colony of New Zealand and its Dependencies; and in order to carry such purposes into effect, have invested a capital of one hundred thousand pounds, and have also entered into a subscription towards raising the further sum of two hundred thousand pounds sterling; and have humbly brought us to grant to them a Charter of Incorporation:

2. Now, know ye, that we, of our especial grace, certain knowledge, and mere motion, have given, granted, and confirmed, and by these presents for us, our heirs and successors, do, grant, give, and confirm, that John Buck and Francis Barnet, required our right, true, and lawful, William Henry Francis Lord Petre, and all and every such other person or persons as have become or shall at any time hereafter and from time to time become proprietors of the said Company in manner hereafter provided, and their respective executors, administrators, and assigns, shall be one body politic and corporate, in deed and in name, by the name of the New Zealand Company; and by that name shall have perpetual succession, and shall have a common seal, which may be altered at pleasure; and also by the name shall and may sue and be sued, joined and impleaded, in actions in law and in equity, as well in our United Kingdom of Great Britain and Ireland as in our Colomhal possessions,
3. And we do hereby ordain and declare that the said Corporation is and shall be established for the purpose of purchasing and acquiring, settling, improving, cultivating, letting, selling, granting, alienating, mortgaging, charging, or otherwise dealing with and making a profit of lands, tenements, and hereditaments in our said Colony and its dependencies; and of laying out settlements and towns; and of working therein all mines, pits, and quarries, and all minerals and metals; and of converting or contracting for the conveyance of immigrants to any their place of destination in our said Colony and its dependencies; subject however to such regulations respecting the conveyance of the said immigrants as in the time to time shall be by law or the said Corporation and its dependencies; provided always that it shall not be lawful for the said Company to carry on the business of banking, by keeping cash of or for any person payable on demand; or by borrowing, owing, or taking up money on their bills or notes payable on demand; or at any less time than twelve months from the borrowing thereof; or for a sum less than one hundred pounds; or in any wise to engage in any commercial operations in the United Kingdom or any of our Colonial possessions, for the purpose of making a profit other than as aforesaid: And for the further purpose of executing, erecting, contracting for, and subscribing towards such public works and buildings, and also of establishing and maintaining, safely or conjointly with others, such public institutions for the improvement of our said Colony, and the comfort and well-being of the said immigrants, as may be proposed, undertaken, or sanctioned by us, our heirs and successors, or the Governor Lieutenant-Governor, or person administering the Government, or by any person duly authorized in that behalf in our said Colony and its dependencies: And we do hereby, grant, convey, and declare that the said Company hereby incorporated shall have all powers and be enabled to do all acts required for carrying into effect the purposes aforesaid.

4. And we do by these presents, of our special grace, certain knowledge, and mere motion, for us, our heirs and successors, give and grant to the said Company our Royal License to purchase and take, have and hold, to them and their successors, any lands, tenements, and hereditaments whatsoever, within our United Kingdom of Great Britain and Ireland, or in our Colonial possessions; provided always that the whole of such lands, tenements, and hereditaments, so bought by the said Company within our said United Kingdom and our Colonial possessions, other than in our said Colony of New Zealand and its dependencies, shall not exceed the yearly value of two thousand pounds.

5. That the said Corporation, and all property, of what description soever, of or belonging thereto, shall be subject and liable to the payment of all money due and to grow due, and to the observance and fulfillment of all contracts, covenants, and liabilities entered into or incurred, from, by, or on account of the said Company, and of the proprietors and subscribers to or of the said Company, or by any person as trustee for the same, as fully and effectually to all intents and purposes as if the same respectively had been due from, or been incurred or entered into by or on account of, the said Corporation.

6. And we hereby ordain and declare that the present capital stock of the Company hereby incorporated, to be used and applied in establishing and carrying on the said undertaking and for the purposes aforesaid, shall be the sum of three hundred thousand pounds sterling, in shares of twenty-five pounds each, of which at least two-thirds shall be paid up or invested within twelve months from the date of these presents: Provided always that this our Charter shall remain in full force and effect notwithstanding the remaining third part or any portion thereof shall not have been paid up and invested.

7. That it shall appear to the said Company expedient, in order to carry into better effect the purposes of the said Company, to increase the aforesaid capital stock, it shall be lawful for the said Company to call meetings of the shareholders, in the manner and at such quarterly special meeting of the Court of Proprietors heretofore mentioned, to raise by the creation of new shares, to be taken by themselves or by any new subscribers who may be admitted for that purpose, or by the proprietors and such subscribers conjointly, any further sums or sums of money not exceeding in the whole the sum of one million pounds sterling; to be raised in such manner, and in such sums, and subject to such conditions of forfeiture, or such other conditions, and upon such terms, as the Court of Proprietors may deem advisable; and the said money so raised shall thereupon become and be held to all intents and purposes part of the capital stock of the said Company.

8. And that it shall be lawful for the Court of Directors to raise the said capital or any part thereof by calls on the several proprietors, their executors, administrators, and assigns, in proportion to their respective shares; and to fix the amount of every such call, together with the time, and place, and mode of payment or investment of the several sums to be so raised.

9. And that the several proprietors, their executors, administrators, and assigns, shall pay the respective sums of money, to be from time to time called for by the Directors by virtue of these presents, to such persons, and at such times and places, as the Directors shall from time to time direct and appoint; and if any proprietor shall refuse or neglect so to do, and so often as he shall fail so, every such proprietor shall pay interest for the same, after the rate of five pounds per centum per annum, from the date appointed for payment thereof, up to the time when the same shall be actually paid. And the said Directors may and shall be hereby authorized to declare all or such of the shares belonging to any proprietor, the calls due in respect whereof, together with interest as aforesaid, shall have refused or neglected to pay, and all profits and advantages attending the same, to be forfeited, and to be sold subject to the provisions herein contained: Provided always that it shall be lawful for the Directors, in their discretion, to remit the payment of such proprietors for such calls and interest in any of our courts of law and equity: Provided, nevertheless, that no advantage shall be taken of any such declaration of forfeiture, until notice thereof in writing under the hands of the Governor or Deputy Governor, or of some other officer of
the said Company, shall have been given to the proprietors of such shares, nor until such declaration of forfeiture shall have been confirmed at a Court of Proprietors, such Court to be held after the expiration of one calendar month at the least from the day on which such notice shall have been given; and after such declaration of forfeiture shall have been confirmed by such Court of Proprietors, the said Company shall have the power to sell and dispose of the said shares so forfeited, or any of them, and the said Directors may then sell and dispose of the same in such manner and for such prices as they may think fit.

10. And that it shall be lawful for the proprietors or any of them, before or after any call shall have been made in respect of any shares held by them respectively to pay in advance (in case the Directors shall think proper to accept the same) the total sum of money respectively payable in respect of such share or any part thereof; and the said Company shall have the power to sell and dispose of the same shares for every one hundred pounds by the year, upon the monies so paid in advance, or for so much thereof as shall from time to time exceed the amount of the calls which shall have been made upon the shares in respect of which such monies have been so paid, the amount of such interest to be determined by the Directors.

11. That every person holding any share in the capital stock of the said Company, its executors, administrators, or assigns, shall be entitled to the profits and advantages attending the said capital stock, in proportion to the number of such shares so held by him, and shall be a proprietor of and in the said Company.

12. That all shares in the said capital stock shall, to all intents and purposes, be deemed personal estate, and be transmissible as such, and not be deemed to be of the nature of real property.

13. That the said Company shall cause the names of the several proprietors, together with the amount of stock held by them respectively, to be entered in a book kept for that purpose; and all transfers of shares in the said capital stock shall be registered in a book to be kept by the said Company for that purpose; and the dates, names, and descriptions of parties, and amount of stock transferred in such transfers respectively shall be therein specified, and for every such transfer shall be paid to the said Company not exceeding two shillings and sixpence for every such registry; and until such transfer shall be so registered, no person claiming an interest in any such share by virtue of any transfer shall be deemed the proprietor thereof, or shall be entitled to any vote or dividend or beneficial interest in respect thereof.

14. That any person shall claim any share in the said capital stock in right of marriage, or by virtue of any will or bequest, or in course of administration, a certificate of such marriage, or an official extract from such will or letters of administration, shall be laid with the Secretary of the said Company, before such person shall be entitled to transfer any such share, or to claim payment of any dividend in respect thereof, or to vote or act as proprietor thereof; and there shall be payable to the said Company for every such entry of marriage, will, or letters of administration, a fee not exceeding the sum of ten shillings.

15. And that whenever two or more persons shall be jointly possessed of or entitled to any share in the said capital stock, the person whose name shall stand first in the said book of the Company as one of the holders of such share shall, in respect to notices to be given by the Company, be deemed and taken to be the sole proprietor of and in respect of the same, and shall be competent to vote and act accordingly.

16. And we hereby ordain and declare that there shall be from time to time constituted in manner hereinafter mentioned out of the said proprietors twenty-four Directors, of whom two shall be styled the Governor and Deputy Governor of the said Company. Provided always that it shall be lawful for the Court of Proprietors, by any by-law, order, or regulation made as hereinafter provided, at any time or times to alter the number of Directors, but not so as at any time to reduce the number below twelve, nor so as to alter the manner of electing the same. The said Directors shall meet together at the house or office of the Company, in London or Westminster, or the County of Middlesex, at least once in every month, and at such times as may be by them appointed, and the said Directors, or any three of them, so met together shall constitute and be styled the Court of Directors of the said Company.

17. And the said Court of Directors shall have power from time to time to make any such regulations as it may think is respecting the mode of convening such meetings of the said Directors, and of transacting business thereat, and no meeting of Directors shall constitute a Court of Directors, unless it shall be lawful and act in conformity to the regulations so made.

18. No person shall be qualified to be a Director unless he shall possess twenty shares at the least in the said capital stock; and any Director at any time ceasing to hold such number of shares shall thereupon be disqualified and vacate his office of Director.

19. That the said Joseph Somes shall be the first Governor, and the said Francis Baring the first Deputy Governor of the said Company; and that certain other persons who now are and are acting as Directors of the said Joint Stock Company mentioned in the preamble of these presents shall, together with the said Joseph Somes and the said Francis Baring, be the first Directors of the said Company.

20. And that the said Joseph Somes shall so continue in office until the general meeting of the Court of Proprietors shall be held as hereinafter provided in the month of May, one thousand eight hundred and forty-one, or until others shall be duly elected in their place as hereinafter provided; and that in case any vacancy shall occur in the meantime in any of the said Directors, it shall be lawful for the said Company to fill up such vacancies, or any of them, from among the proprietors qualified as aforesaid; and that if at any time previous to the said meeting in May, one thousand eight hundred and forty-one, the number of Directors shall, owing to any such vacancies, be reduced below twelve, it shall then, but in no other case, be incumbent on the remaining Directors to add to their number, so that there shall be at least twelve Directors of the Company.

21. That at the said general meeting in one thousand eight hundred and forty-one, and at each of the succeeding annual meetings, or at any extraordinary meeting, as hereinafter provided, in the three succeeding years, a certain number of the present Directors, or of the Directors chosen by them, shall go out of office, and an equal number of Directors shall be elected in their place by the Court of Proprietors at such meetings, and that,
previous to the said meeting in one thousand eight hundred and forty-one, the Court of Directors shall determine by lot, or in such other manner as the Court shall think fit, how many and which of them shall go out of office at each of the said meetings as aforesaid: Provided always that the number to go out at each of the said meetings shall be as nearly as may be one fourth part of the total number of Directors then elected by these presents, or by any by-law, order, or regulation as aforesaid; and that none of the present Directors or of the Directors chosen by them as aforesaid shall, except as hereinafter provided, be continued in office for more than three years from the day of the said annual general meeting in one thousand eight hundred and forty-one: Provided always that the names of the persons to go out at any such meeting shall be specified in the notice hereinafter required to be given of such meeting.

23. Provided always that any of the present or future Directors so going out may be immediately or at any future time re-elected to the said office.

24. Provided also that if at any time from any cause a due election of Directors shall not take place as herein provided, then the Directors who would have vacated their office shall remain Directors until others shall be duly elected, and the Court of Directors shall forthwith convene a special meeting of the Court of Proprietors as hereinafter provided, which shall proceed to the election of Directors in the manner aforesaid.

25. That no person except a Director going out of office shall be eligible to be nominated at any annual general meeting to the office of Director, unless twenty-eight days previously to the election he shall have left notice in writing at the office of the Company, in London or Westminster or the County of Middlesex, of his intention of becoming a candidate for such office; and in the notice of the annual general meeting at which such election is to be made the name of such candidate shall be specified: Provided always that in case it shall be impracticable to comply with the above condition in consequence of a vacancy having recently occurred before the annual general meeting, then and in every such case any person qualified as herein provided shall be eligible at such annual general meeting, notwithstanding such condition shall not have been complied with.

26. That it shall be lawful for any Court of Proprietors, at any meeting specially convened for that purpose, to remove any Directors from office; and for any Governor, or Deputy Governor, or Director, at any time to vacate their respective offices, by transmitting their resignation in writing to the Court of Directors.

27. And in case of any vacancy occasioned by the death, resignation, removal, or disqualification of a Director, the Court of Directors may, at an extraordinary meeting called for that purpose, elect from the Proprietors duly qualified a Director to supply such vacancy: Provided always that the next annual general meeting may nullify and declare void such election, and therupon either immediately elect or adjourn for the purpose of electing a Director in the place of such Director whose election shall have been declared null and void: Provided also that any act or proceeding in or to which such Director may have been added, or to which such Director may have been a party, shall be valid and effectual in every respect as if he were duly elected and qualified.

28. Provided also that, if at any time the said Court of Directors shall not in manner aforesaid supply such vacancy, and such vacancy shall exist at the period of any general meeting of the Court of Proprietors, it shall be then lawful for the said Court of Proprietors to supply such vacancy by the election of a Director, in addition to the number elected at such meeting to supply the places of those going out by rotation.

29. That notwithstanding any vacancies in the number of Directors, the business of the Company shall continue to be carried on by the other Directors until such vacancies shall be filled up as effectually as if no such vacancies had occurred; and if at any time there shall not be a sufficient number of Directors to compose a Court, a special meeting of the Court of Proprietors shall and may be lawfully assembled by the remaining Director or Directors or the major part of them, or by the proprietors, as hereinafter provided, for the election of the requisite number of Directors; and the said Court of Proprietors shall then determine how many and which of such Directors so elected shall go out in each successive year, until the rotation hereby established shall be again restored.

30. That the Court of Directors shall have power from time to time, subject to any provisions hereinafter to be made by any by-law, regulation, or order of the said Company, to elect from among themselves to remove the Governor and Deputy Governor of the said Company.

31. And that any election be made by the Governor, or in his absence by such Deputy Governor, and in the absence of both by one of the Directors present chosen for that purpose; and that all questions before the said Court shall be decided by a majority of Directors present and not declining to vote; and that the Chairman for the time being may, in addition to his own vote, decide by his casting vote all questions upon which the votes shall happen to be equal.

32. That the said Court of Directors shall manage the affairs and business of the said Company; and shall have the custody of the common seal of the said Company, and shall have power to affix or
cause the same to be affixed on behalf of the said Company; and the said Court of Directors shall and may exercise all such powers as the Court of Proprietors shall from time to time, by any by-law, order, regulation, or resolution, vest in the said Directors.

28. That the Court of Directors may from time to time, in furtherance of the objects of the said Company, appoint any agents and or any local boards or committees, consisting of any number of persons whatsoever, and whether shareholders or not, in any part of Great Britain or Ireland, or in any other part of the world; and may invest such agents and local boards and committees respectively, with such powers and authorities as the Court may deem advisable; and more than one such agent or local board or committee may be appointed by the Court for the same place at one and the same time; and any one or more of such agents or local boards or committees may be invested with powers and authorities concurrent with or independent of any other or others of such agents or local boards or committees, and the Directors may prescribe the manner in which the said agents and local boards or committees shall act, and may prescribe the manner in which the said agents and local boards or committees shall act, and may likewise allow any such agent or local board or committees, out of the funds of the Company, such remuneration for their trouble, and in such manner, as the said Court may think proper.

29. That the Court of Directors may, in pursuance of the objects of the Company, sell and deliver, or authorize to be sold or delivered, any of the lands, tenements, hereditaments, goods, chattels, and effects of the Company, with or without taking security for the price or re-delivery thereof; and such sales and deliveries may be made on credit and to persons in trade as well as others; and the Court may also make or cause to be made contracts, purchases, sales, leases, exchanges, partitions, and other operations, of any lands, tenements, hereditaments, or other property of the Company, upon such conditions and under such terms and stipulations, and also with such restrictions in regard to title or evidence of title, or otherwise, as may be thought proper, and to do or cause to be done all acts necessary on the part of the Company for giving effect to or in pursuance of any such conditions, terms, and stipulations; and may likewise make any sales, lease, or purchase, on account of the Company, either by public auction or private contract, as the Court may think fit.

30. That in case the available capital of the Company shall at any time be found insufficient for carrying on the business of the Company with proper vigour and effect, or it shall be deemed expedient to increase the same, it shall be lawful for the Court of Directors, with the consent of a Court of Proprietors especially convened for that purpose, from time to time to borrow and take up, at any lawful rate of interest; the Court may think proper, any sum not exceeding in the whole five hundred thousand pounds, on the credit of the profits of the undertaking, or on the credit of any of the lands, tenements, hereditaments, and other property of the Company, as the said Court of Directors may think proper; and it shall be lawful for the Court of Directors, after any such consent shall have been given, to assign and convey, or cause to be assigned and conveyed, in such manner as they may think proper, any such profits, lands, tenements, or hereditaments, or other property whatsoever, to any persons who shall lend or advance any money thereon, or to their trustees, as security for any principal money so to be borrowed, with interest thereon; the expense of all which mortgages, assignments, and conveyances, shall be defrayed out of the money so lent or advanced, or out of the funds of the said Company.

31. And it shall not be incumbent on any mortgagees to ascertain or inquire whether the money so advanced be required for or towards making up the amount for the time being authorized to be raised by way of mortgage; but the circumstance of the same being borrowed or taken up by the Court of Directors shall, as between such mortgagees and all claiming from, through, or under him and the Company, be conclusive evidence of the fact.

32. That in case the whole or any part of the said sum of five hundred thousand pounds, authorized to be borrowed, shall not be advanced, and the Company or the Court of Directors shall afterwards be required or shall be deemed to pay off, or shall have paid off, any part of the principal sum secured by such mortgage or any of them; then, and in every such case, it shall be lawful for the Court of Directors, by an order of a special meeting of the Court of Proprietors, and either immediately or at any time thereafter, to raise a further sum or sums at the like or such other rate of interest as the Court may think proper; and so from time to time, as often as the same shall happen; but so, nevertheless, that there shall not be borrowed or owing for principal upon mortgage at any one time more than five hundred thousand pounds in the whole.

33. And we hereby ordain and declare that in the month of May in every year there shall be holden, in London or Westminster or within the County of Middlesex, a general meeting of the proprietors of the said Company, for the election of Directors and other officers of the said Company and for the transaction of other business, and that at any other times it shall be lawful for the said Court of Directors, if it shall deem it expedient, to convene a special meeting of the said proprietors, holding among them at least two hundred shares, the Court of Directors shall, within fourteen days from the time that such requisition shall have been delivered to the Secretary or other proper officer of the said Company, convene a special meeting of the proprietors; and if the said Court of Directors shall neglect or refuse so to do, it shall be lawful for the proprietors who shall have signed such requisition to convene a special meeting of the proprietors, and every such general or special meeting shall constitute and be styled a Court of Proprietors of the said Company.

34. And the said proprietors are hereby summoned by the Court of Directors, and such special meetings by the said Court of Directors or by the Proprietors as aforesaid, by advertisement in the London Gazette and in two or more of the daily London newspapers at least fourteen and not more than twenty-one days before the day appointed for such meeting, and such notice shall specify the time and place of such meeting, and every such requisition as aforesaid, and every notice of a special
meeting, shall further specify the business for which such meeting shall be convened or required, and it shall not be lawful for the said Court so convened to enter on any other business.

41. That in case, within one hour after the time fixed for any general or special meeting of the Court of Proprietors, there shall not be present at the place fixed for such meeting at the least twenty propjointors of the said Company, such meeting shall not proceed to business; but in such case every general or special meeting of the Court of Proprietors shall be adjourned to such day as the majority of the said Proprietors present shall determine, and at every such adjourned general meeting all business may be transacted, notwithstanding fewer than twenty propjointors qualified to vote be then and there present.

42. That a Court of Proprietors shall at all times have power to adjourn from time to time as they may determine, and no business shall be transacted at an adjourned meeting besides the business last unfinished at the meeting from which such adjournment took place, unless otherwise agreed upon previously to the full break up of the original meeting.

43. That all meetings of the Court of Proprietors the Governor, or in his absence the Deputy Governor of the said Company, or in the absence of both of them any Director to be elected by and from the Directors then present, or if only one Director to be present then such Director, or in the absence of all Directors any proprietor who may be chosen by the majority in number of the proprietors present, shall be the Chairman of such meeting, and such Chairman shall not only have the privilege of voting according to the scale of votes hereinafter provided, but shall likewise have an additional casting vote where there shall be an equality of votes.

44. That all elections and other matters which may come before the said Court of Proprietors shall be decided by a show of hands, unless some one or more of the proprietors present and qualified to vote shall require that the vote be taken according to the scale hereinafter provided.

45. And that in such case such proprietor so qualified, and being present in person or by proxy, shall be entitled, for five shares or less held by him, to one vote; for more than five and less than ten shares, to two votes; for ten and less than twenty shares, to three votes; for twenty and less than thirty shares, to four votes; for thirty and less than sixty shares, to five votes; for sixty and less than ninety shares, to six votes; and for sixty or any greater number of shares, to six votes and no more.

46. That it shall be lawful for the Court of Proprietors, subject to the provisions herein contained, from time to time to make by-laws, orders, and regulations, and to pass resolutions for the affairs and government of the said Company, and from time to time to repeal and alter the same; and the said Court of Proprietors may from time to time, by any such by-law, order, regulation, or resolution, direct the Directors of the Company with all such further powers and authorities as the Court of Proprietors shall deem necessary or expedient for the promotion of the objects of the Company.

47. And the by-laws, orders, regulations, and resolutions in force for the time being shall be duly entered in a book kept for that purpose, to be at all reasonable times accessible to the proprietors of the said Company; Provided, Always that such by-laws, orders, regulations, and resolutions do not repugnant to the laws of this realm, or to any of the express directions and provisions or to the general intent and purposes of this our Charter.

48. And we hereby ordain and declare that such persons as now are or may, before the general meeting of the Court of Proprietors in the month of May, one thousand eight hundred and forty-one, be appointed Auditors of the said Company, shall continue in such office, and exercise all powers, and perform all duties thereof, until the said general meeting in May; and that at such general meeting such persons shall go out of office; and that it shall be lawful for the said Court of Proprietors, by any by-law, order, or regulation, to be by them made at such or any subsequent meeting of the said Court, from time to time to regulate the election of Auditors of the said Company, and the rights, powers, and duties of the office of such Auditor.

49. And we hereby ordain and declare that the several persons who have subscribed or shall subscribe for or towards the capital stock of the said Company, or who shall at any time hereafter have or hold any share or shares in the same, shall and they are hereby required to pay any unpaid sum or sums of money by them respectively subscribed.

50. And that it shall be lawful for the Court of Proprietors, on the recommendation of the Directors, to declare, out of the profits of the capital of the said Company, such dividends amongst the Proprietors as the Court of Directors may recommend.

51. And we do hereby will and declare that whenever in this our Charter, or in any of the provisions thereof, words are used importing the singular number only, or the plural number only, or the male sex only, yet such words shall be construed to include several persons as well as one, and the converse, and females as well as males, and bodies politic and corporate as well as individuals; and that the words "proprietors" shall mean the proprietors for the time being, and the word "capital stock" the capital stock for the same time, unless it be otherwise specially provided, or unless such construction would be repugnant to the subject or context, or contrary to law.

52. And we do, for us, our heirs and successors, will and declare that these our Letters Patent, or the enrolment thereof, shall be in all things valid and effectual in the law, according to the true intent and meaning of the same, and shall be taken and construed in the most favourable view for the said Corporation, as well in our Courts of Record as elsewhere, notwithstanding any non-recital, mis-recital, uncertainty, or imperfection in these our Letters Patent.

53. And we do, for us, our heirs and successors, will and declare that all rights, privileges, and prerogatives to the Company aforesaid, under the Great Seal of the United Kingdom of Great Britain and Ireland, shall be in due manner made and sealed without fine or fee great or small to us, in our hands or elsewhere, to our use therefore or anyways to be rendered, paid, or made.

54. In witness whereof we have caused these our Letters to be made Patent.

Witnesse oursele, at our Palace at Westminister, this twelfth day of February, in the fourth year of our reign.

By Writ of Privy Seal.

(L. E.)

Edward.
No. 55.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting: Whereas under and by virtue of certain Letters Patent under the Great Seal of Great Britain, bearing date the twelfth day of February, in the fourth year of our reign, we have, of our especial grace, certain knowledge, and mere motion, given, granted, and ordained, that certain persons therein named or referred to should be one body corporate and politic, by the name of "The New Zealand Company," to be established for certain purposes therein mentioned, and have all and every the powers therof not forth to enable them to carry such purposes into effect: And whereas the said New Zealand Company have humbly besought us to extend the powers in our said Letters Patent hereinbefore recited contained:

2. Now know ye, that we, of our especial grace, certain knowledge, and mere motion, have granted, ordained, and declared, and by these presents, for us, our heirs and successors, do grant, ordain, and declare that the Court of Directors of the said Company shall have power, at any time or times hereafter, and from time to time, with the consent of a Court of Proprietors specially convened for that purpose in manner directed by our said recited Letters Patent, to borrow and raise at any lawful rate of interest any sum or sums of money not exceeding in the whole five hundred thousand pounds, upon the security and credit of any portion of the subscribed capital of the said Company for the time being, not at such time called up; and of the profits of the undertaking; and of the lands, tenements, hereditaments, and other property for the time being of the said Company; or any or either of such proposed securities, or of any portion thereof, respectively.

3. And for all and every or any of the foregoing purposes, to grant, execute, and issue debentures under the seal of the said Company, or to mortgage or charge all or any parts of the said proposed securities or any of them, and to affix the seal of the said Company to all such deeds and other legal instruments as may, in the opinion of the said Directors, be requisite for the more completely effecting all or any of the purposes aforesaid.

4. And it shall not be incumbent on any mortgagee to ascertain or inquire whether the money so advanced be required for or towards making up the amount for the time being authorized to be raised by way of mortgage; but the circumstances of the same being borrowed or taken up by the Court of Directors shall, as between such mortgagee and all claiming from, through, or under him and the Company, be conclusive evidence of the fact.

5. That in case the whole or any part of the said sum of five hundred thousand pounds, hereby authorized to be raised on mortgage, shall have been raised, and the Company or the Court of Directors shall afterwards be required or shall be desirous to pay off, or shall have paid off, the whole or any part of the principal sum secured by such mortgage or debentures, or any of them, then and in every such case it shall be lawful for the Court of Directors, with the consent of a Court of Proprietors specially convened as aforesaid for such purpose, and either immediately or at any time thereafter, to raise a further sum or sums, at the like or such other rate of interest as the Court may think proper, and so from time to time as often as the same shall happen; but so, nevertheless, that there shall not be borrowed or owing, under and by virtue of our said recited Letters Patent, or of these presents, for principal upon mortgage at any one time more than five hundred thousand pounds in the whole.

6. In witness whereof, we have caused these our Letters Patent to be made patent.

Witness ourself, at our Palace at Westminster, this fourth day of August, in the seventh year of our reign.

By Writ of Privy Seal.

(For).

(For).

(For).
## SCHEDULE

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May, 1849</td>
<td>Court of Directors, New Zealand Company</td>
<td>Colonel Wakefield</td>
<td>Furnishing written instructions for his guidance in the management of the enterprise committed to his charge, and explaining the objects of the Company as to the purchase of lands, &amp;c.; and that in conducting negotiations for the purchase of land from the Natives, care should be taken to mention in every purchase, or Contract, that a proportion of the territory ceded, equal to one-tenth, would be reserved by the Company and held in trust for the future benefit of the Natives.</td>
</tr>
<tr>
<td>2</td>
<td>Mar. 31, 1844</td>
<td>Commissioner Spain</td>
<td>Governor Fitzroy</td>
<td>Reporting the result of his investigation into the New Zealand Company's claim to land in the Nelson District.</td>
</tr>
<tr>
<td>3</td>
<td>Aug. 29, 1844</td>
<td>...</td>
<td>...</td>
<td>Copy of Minutes of Proceedings at the Court held by Commissioner Spain at Nelson.</td>
</tr>
<tr>
<td>4</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Statement of Present facts to sundry Natives Chiefs on account of the Nelson Settlement.</td>
</tr>
<tr>
<td>5</td>
<td>Sept. 7, 1844</td>
<td>George Clarke, jun.</td>
<td>Commissioner Spain</td>
<td>Stating that he had no intention of opposing the claim of the New Zealand Company in the Nelson District, excepting Waitaki.</td>
</tr>
<tr>
<td>6</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Schedule of the probable quantity of land required for the settlement of Nelson.</td>
</tr>
<tr>
<td>7</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Copy of the New Zealand Company's Second Deed of Purchase, including the Nelson District.</td>
</tr>
<tr>
<td>8</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Copy of the New Zealand Company's Third Deed of Purchase from the Natives.</td>
</tr>
<tr>
<td>9</td>
<td>Aug. 14, 1844</td>
<td>...</td>
<td>...</td>
<td>Copy of Deed of Release, signed by the Natives of Waitiki, with translation.</td>
</tr>
<tr>
<td>10</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Copy of Deed of Release, signed by the Natives of Waitiki.</td>
</tr>
<tr>
<td>11</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Copy of Deed of Release, signed by the Natives of the Waitiki Tribe.</td>
</tr>
<tr>
<td>12</td>
<td>Aug. 19, 1844</td>
<td>...</td>
<td>...</td>
<td>Receipt by Signiro, for £10, in satisfaction of his claim to land in the Nelson District.</td>
</tr>
<tr>
<td>13</td>
<td>July 29, 1845</td>
<td>...</td>
<td>...</td>
<td>Copy of Crown Grant of 240 acres to the New Zealand Company.</td>
</tr>
<tr>
<td>14</td>
<td>Mar. 21, 1846</td>
<td>Right Hon. W. E. Gladstone</td>
<td>Lieutenant-Governor Grey</td>
<td>Transmitting copies of Correspondence with the New Zealand Company on the subject of a Report received from their Principal Agent, and requesting His Excellency to inquire into the nature of the representation.</td>
</tr>
<tr>
<td>15</td>
<td>Feb. 28, 1846</td>
<td>T. G. Harrington</td>
<td>Secretary of State for Colonies</td>
<td>Transmitting a copy of a Dispatch from the Company's Principal Agent.</td>
</tr>
<tr>
<td>16</td>
<td>Dec. 18, 1846</td>
<td>Lord Stanley</td>
<td>Lieutenant-Governor Grey</td>
<td>Notifying the appointment of Colonel McCleverty to act as the New Zealand Company's agent in the selection of lands, and to judge of the reasonableness of the terms of any purchase made from the Natives.</td>
</tr>
<tr>
<td>17</td>
<td>Sept. 14, 1846</td>
<td>Governor Grey</td>
<td>Secretary of State for Colonies</td>
<td>Acknowledging Dispatch No. 14, of 31st March, and explaining the steps that had been taken to adjust the complaints made by the New Zealand Company with reference to the Grants issued to them for the Wellington and Nelson Districts.</td>
</tr>
</tbody>
</table>

### No. 1.

**INSTRUCTIONS TO COLONEL WAKEFIELD, PRINCIPAL AGENT OF THE COMPANY.** May, 1849.

(Extract.)

In furnishing you with some written instructions for your guidance in the management of the enterprise committed to your charge, we do not imagine that it is possible for us to define the particular means by which the objects of the expedition may be best accomplished. On the contrary, we are fully persuaded that the conduct of the expedition must be regulated by circumstances of which we shall not obtain any knowledge until long after their occurrence. We believe that if you thoroughly understand the objects of the expedition, we shall meet effectually promote its success by leaving the
means to be determined by your own judgment, founded on the knowledge which you may acquire on the spot, and directed by the local circumstances which we cannot pretend to anticipate. These instructions are therefore intended to be of a general character. Our purpose is rather to explain the objects of the Company than to specify any means for attaining them. We wish to impose the greatest responsibility on you, whom we have selected to take charge of this expedition because we believe you to possess the requisite qualities of intelligence, activity, self-command, discretion, diligence, and perseverance. How to forget what is due to you when so made avertable for the success of the undertaking. It is only the right of the Company and the right of the undertaker, who, through your conduct or under your directing, is the ultimate arbiter for the exercise of your own judgment as to the means to be employed.

It is with the same view to your responsibility and freedom of action, that we have placed all the servants of the Company under your sole and unqualified direction. We have informed them that they are expected to consider you as the representative of the Company; to attend to your instructions as if these proceeded from the Company itself; and to perform no act in relation to the affairs of the Company, except under your conduct or under your direct orders.

In order to render this necessary control effective, you are authorized to suspend or dismiss any other servant of the Company as you may see fit, and even, if you should think it expedient, without assigning any reason for the act. In such a case, however, you will immediately submit to the Company in writing the fullest account of the grounds of your decision. Whilst we expect that you will justify such a decision to the Company, we wish to guard you against the inconveniences that might arise from your reasons becoming a subject of discussion and canvass amongst the party under your orders. In case any servant of the Company should voluntarily resign, you are at liberty to supply his place as you may best be able. And we need scarcely point out to you the expediency of your rather allowing, if possible, any servant of the Company with whom you may be dissatisfied, to resign his situation, than subject him to the pain of being dismissed. It is also desirable that you should make frequent reports to the Company upon the conduct of their servants, whom we have informed that any improvement of their position in the Company's service will depend on your favourable opinion of them.

The objects of the present expedition may be divided into three distinct classes: 1. The purchase of lands for the Company. 2. The acquisition of general information as to the country; and, 3. Preparations for the formation of settlements under the auspices of the Company.

1. In the pursuit of the first object, you will constantly bear in mind that the profits of the Company must in a great measure depend on the judgment which you may exercise in selecting places of future location. As all the world is free to purchase lands in New Zealand upon the same terms as the Company, it should be your especial business to acquire spots which enjoy some peculiar natural advantage; lands, the possession of which would bestow on the Company, or at least upon those who may purchase from the Company, some valuable superiority over the owners of ordinary lands. Of merely fertile land there exists no great abundance that its possession, however useful and valuable, would not be peculiarly advantageous. More fertility of soil, therefore, though not to be overlooked, is far less important consideration than natural facilities of communication and transport. There is probably some pine of the Islands better suited than any other to become the centre of their trade, or commercial metropolis, when shall be more fully inhabited by Englishmen; and there must be many other spots peculiarly eligible for the sites of secondary towns. The shores of safe and commodious harbours, the sheltered embouchures of extensive rivers communicating with a fertile country, the immediate neighbourhood of powerful falls of water, which might be expected to become the state of manufactures—these are the situations in which it is most desired that you should make purchases of land. And especially you should endeavour to make an extensive purchase on the west coast of that harbour, the pronunciation of which sounds, at the eastern extremity of the Island, as a general trading depot and port of export and import for all parts of the Islands,—as a centre of commerce for collecting and exporting the produce of the Islands, and for the reception and distribution of foreign goods. In making this selection, you will not forget that Cook Strait forms part of the shortest route from the Australian Colonies to England, and that the best harbour in that channel must inevitably become the most frequented port of colonized New Zealand. A mere harbour, however, whether there or elsewhere, might have but little value. There is not in the world, perhaps, a safer or more commodious harbour than Port Hicks in D'Urville's Island; but the shallowness of the island renders its harbour of less importance than several others on the shores of Cook Strait. That harbour in Cook Strait is the most valuable which combines, with ample security and convenience as to a resort for ships, the nearest vicinity to or the best natural means of communication with the greatest extent of fertile territory. So far as we are at present informed, Port Nicholson appears superior to any other. As to the relative advantages, however, of the different harbours of Cook Strait, you will probably be able to form an impression from a comparison of the charts and trading reports, from permanent English settlers in Queen Charlotte's Sound or Cloudy Bay; and with this view, as well as for the purpose of comparison on your own observation, we suggest that you should visit one or both of these harbours before you proceed to Port Nicholson. You are at liberty to engage, either at those harbours or elsewhere, the services of any Englishman or Native whom you may wish to accompany you in your visits to other harbours.

It being intended that your purchases of land on behalf of the Company should be confined to that harbour which appears superior to all the others. While you will endeavour to acquire as much land as possible in that spot or neighbourhood, it is also desirable that you should effect purchases in any part of Cook Strait which shall appear highly eligible for commercial settlements or for agricultural purposes within easy reach of a good harbour. And, in particular, we must express our anxiety that you should obtain land around one good harbour at least on each side of Cook Strait.

It will be necessary for you to touch at Entry Island, the seat of the tribe to which, as we are informed, both sides of Cook Strait belong, and at the island of Mua, which is the residence of the family of the Company's interpreter, Nairi.
In the conduct of negotiations for the purchase of lands in Cook Strait, you may meet with difficulties which no longer exist in the more northern parts of the North Island, where the numerous and extensive purchases by servants of the Church Missionary Society and others have established a regular system of dealings for land between the Natives and Europeans. The chief difficulty with which, as we imagine, you may have to contend is that of convincing the Natives that the existence under your orders has no object hostile to them. They are necessarily suspicious, in consequence of the ill-treatment which they have often received from Europeans.

We recommend that you should on every occasion treat them with the most entire frankness, thoroughly explaining to them that you wish to purchase the lands for the purpose of establishing a settlement of Englishmen, there similar to the numerous English settlements on the Rivers Thames and Hokitika and in the Bay of Islands, or rather on a much larger scale, like the English settlements in New South Wales, in Van Diemen's Land, with which the Natives of Cook Strait are very well acquainted; and you will abstain from completing any negotiation for a purchase of land until this, its probable result, shall be thoroughly understood by the Native proprietors and by the tribe at large. Above all, you will be especially careful that all the owners of any tract of land which you may purchase shall be approved parties to the bargain, and that each of them receives his due share of the purchase money. You will find many of the inhabitants of Cook Strait who have visited the Thames and the Bay of Islands well acquainted with the nature of the exchanges for land which have taken place in those districts between Native owners of land and Englishmen of various classes, and it is not improbable that they may inquire whether, as you represent a Company, the land which you may purchase will belong to a public body, and be inalienable, like that which has become the property of the Church Missionary Society, or will be the property of private persons, liable to frequent change of hands, like those lands which have been purchased by individual missionaries and other settlers. Whether or not they ask this question, you will fully explain to them that the Company intends to dispose of its property to individual settlers expected from England or from New Zealand to settle the land, that all purchasers will buy under the same terms as have formed the conditions of private bargains for land in other parts of the Islands.

But in one respect you will not fail to establish a very important difference between the purchases of the Company and those which have hitherto been made by every class of buyers. Wilderness land, it is true, is worth nothing to its Native owners, or worth nothing more than the tribe they can obtain for it. We are not, therefore, to make much account of the utter inadequacy of the purchase money according to English notions of the value of land. The land is really of no value, and can become valuable only by means of a civilization and settlement. But at the same time it may be doubted whether the Native owners have ever been entirely aware of the consequences that would result from such cessions as have already been made, to a great extent, of the whole of the lands of a tribe. Justice demands not merely that these consequences should be, so far as possible, explained to them, but that the superior intelligence of the buyers should also be exerted to guard them against the evils which, after all, they may not be capable of anticipating. The danger to which they are exposed, and which they cannot foresee, is that of finding themselves the owners of landed property, and therefore without consideration, in the midst of a society where, through immigration and settlement, land has become a valuable property. Absolutely they would suffer little or nothing from having parted with land which they do not use and cannot exchange; but relatively they would suffer a great deal, inasmuch as their social position would be very inferior to that of the races who had settled amongst them and given value to their now worthless territory. If the advantage of the Natives alone were considered, it would be better, perhaps, that they should remain for ever the savages they are at present, and to this extent appears the necessity to have occurred, and no more than the Natives purchased land from the Natives of New Zealand. It was first suggested by the New Zealand Association of 1837, and it has great weight with the present Company. In accordance with a plan, which the Association of 1867 was conscious that a legislative enactment should extend to every purchase of land from the Natives, as well past as future, you will take care to mention in every purchase, or contract for land, that a proportion of the territory ceded equal to one-tenth of the whole, will be reserved by the Company, and held in trust by them for the future benefit of the chief families of the tribe. With the assistance of Nativi, who is perfectly aware of the value of land in European transactions, each of such more intelligent Natives as have visited the neighbouring colonies, you will readily explain that after English emigration and settlement a tenth of the land will be far more valuable than the whole was before. And you must endeavour to point out, as in the fact, that the intention of the Company is not to make reserves for the Native owners in large blocks, as has been the common practice as to Indian reserves in North America, whereby settlement is impeded, and the savages are encouraged to continue savages, living apart from the civilized community—but in the same way, in the same allotments, and to the same effect, as if the reserve had been purchased from the Company on behalf of the Natives.

A perfect example of this mode of proceeding will occur soon after your departure from England. As respects territory purchased from the Natives by Lieutenant McDonald, the late British Resident at Hokitika (who is well known to some of the chiefs of the tribe occupying both sides of Cook Strait), and from him purchased by the Company, we intend to sell in England, to persons intending to settle in New Zealand and elsewhere, a certain number of orders for equal quantities of land (say 100 acres each), which orders will entitle each holder, if, on his agent, to select, according to a priority of choice to be determined by lot, from the whole territory laid open for settlement, the quantity of land named in the order, including a certain portion of the site of the first town. And one-tenth of these land-orders will be reserved by the Company, for the chief families of the tribe, by whom the land was originally sold, in the same way precisely as if the lot had been purchased on behalf of the Natives. The priority of choice for the Native allotments being determined by lot as in the case of actual purchasers, the Company, in order to enable any officer or any Company employee to be responsible for its performance, will not accept an order, therefore, the chief Native families of the tribe will have every motive for embracing a civilized mode of life. Instead of a barren possession with which they have parted, they will have property in land intermixed with the property of civilized.
and industrious settlers and made really valuable by that circumstance; and they will thus possess the means, and an essential means, of preserving in the midst of a civilized community the same degree of relative consideration and superiority as they now enjoy in their own tribe. This mode of proceeding has been fully explained to Kairi. He perfectly understands that if the Company should purchase lands and establish a settlement in the island which belongs to his family, then his labor and brothers and himself would share equally with all purchasers of land from the Company to the amount of a talent, without purchasing an interest in a portion of the site of a town. He is quite alive to the advantages of possessing land where land has a high value, and will have no difficulty, we believe, in explaining them to his people. You are aware of the distinctions of rank which obtain amongst them, and how much he prides himself on being a rangatira or gentleman. This feeling must be cultivated if the tribes are ever to be civilized; and we know not of any method so likely to be effectual for the purpose as that which the Company intends to adopt, in reserving for the rangatira intermixed portions of the lands on which settlements shall be founded.

The intended reserves of land are regarded as far more important to the Natives than anything which you will have to pay in the shape of purchase money. At the same time we are desirous that the purchase money should be less inadequate, according to English notions of the value of land, than has been generally the case in purchases of territory from the New Zealanders. Some of the finest tracts of land, we are assured, have been obtained by missionary catechists and others, who really possessed nothing or next to nothing. In case land should be offered to you for such more tracts as a few blankets or hatchets, which have heretofore been given for considerable tracts, you will not accept the offer without adding to the goods required such a quantity as may be of real service to all the owners of the land. It is not intended that you should set an example of heedless profusion in this respect; but the Company are desirous that in all their transactions with the Natives the latter should derive some immediate and obvious benefit from the intercourse.

We have reason to believe that you may rely on the good faith of the Natives in any transactions for the common benefit of both. The cases in which transactions are numerous in which contracts of this sort have been strictly observed, and very few in which they have been questioned. It appears, however, that the Natives expect the land to be used by its English purchasers. The tribe from which some land was purchased in 1829, on the Hokio Ring, by a London Company (which despatched an expedition under the sanction of Government similar to that which you will command), sent a message to the Directors of the Company to the effect that, unless they took actual possession of the land which they had purchased, it would be reoccupied by its Natives owners. The object of the Natives is to attract English settlers, by means of whose labors they may obtain goods in exchange for their labor and the natural productions of the country. We therefore think it desirable that, whenever you can do so without much inconvenience, you should leave some one or more persons in possession of any very eligible tract you may have purchased. This, by assuring the Natives of the intention of the Company to form a settlement amongst them, will tend to the security of the property acquired. With this view we authorize you to engage at New Zealand, in addition to those who will accompany you from England for that purpose, any other persons equally familiar with the Natives customs who may consent to be left alone in possession of purchased tracts. We doubt not that this authority will be exercised with becoming moderation.

In whatever purchases you may make, it is most expedient that the boundaries of the land should be most clearly set forth, not merely in words, but in a plan attached to the written contract. A neglect of this very simple precaution has led in some cases, without any wrongful intention perhaps on either side, to disputes between English settlers and the Natives, which have been very costly. It is understood that Englishmen in New Zealand consider it advantageous that their own signatures, and those of the Native sellers on the pakeha, should be attested by a member of one of the religious missions. Mr. Williams, the chairman of the Church Mission, drew up and signed as a witness, a contract for land purchased at Tamahanga, in the Kith of the Thames, by Mr. Fairburn, a Church missionary catechist; and you will observe that Lieutenant McQueen's contracts for land at Hokio are attested by members of the Wesleyan Mission. The Natives probably attach some peculiar importance to the attest of a missionary, in consequence of the peculiar respect in which they hold that class of settlers. If you should find this to be the case, you will of course endeavour to obtain, whenever the opportunity may occur, such higher degree of authenticity for the contracts into which you may enter on behalf of the Company.

II. Our instructions as to the acquisition of general information respecting the country may be briefly given. It is impossible that you should furnish the Company with too much information, or with information of too varied a character. We shall be anxious to know all that you can possibly learn upon every subject of inquiry. The subjects of inquiry comprise everything about which it is possible to learn. No matter should be deemed unworthy of examination,—no particulars, however minute, will be unacceptable. We suppose that you will keep a daily journal of observations, and that in this journal you will as far as possible mention whatever may attract your notice. These points even which may appear to you on the spot as of the least importance will not be thought unimportant by us. Besides contributing as largely as your time will permit to our stock of knowledge respecting New Zealand, you will take care that the scientific gentlemen attached to the expedition have every possible facility for procuring or improving such information as you may find it desirable to communicate to them. They are instructed to make separate reports to the Company, each in his own department of science; and these reports will pass through your hands, in order that you may be satisfied of their copiousness and accuracy. This rule applies to drawings made by the draughtsmen of the Company. And we must now mention another rule, which you will not fail to impress on all your subordinates; namely, the propriety of carefully avoiding anything like exaggeration in describing the more favourable features of the country. Let the bed be stated as plainly and as fully as the good, so that the Company, learning the whole truth as we learn it, may have no difficulty in analyzing others.

For fear of inducing you to attach undue importance to particular branches of inquiry to the neglect of others, we are almost unwilling to specify those which appear to us to deserve the greatest-
attention. Yet we must remark that, in the allotment of the time devoted to general observation, the largest portion should be given to those spots where you may make purchases on behalf of the Company. This is due to the shareholders, by means of whose capital the enterprise is undertaken. But we by no means wish to confine the reports to such spots. Yet the fullest inquiries be made wherever it is practicable; and above all the gentlemen attached to the Expedition, not only that the information supplied by them will be conveyed to the public of this country, but also that each of them will receive public credit for his share of the contribution.

Nor is it as respects locality merely that the interests of the Company should be first considered. The subjects upon which information will be more acceptable are those which relate to the eligibility of places for settlement; such as the qualities of a harbour, its facilities of communication, the form and character of the neighbouring country, and the quality of the soil, and of any rivers that may flow into it; the natural productions of the land, more especially those which would be fit for exportation; and the numbers and character of the Native tribe inhabiting the spot; all those particulars, in short, which you may suppose would prove most interesting to persons who contemplated settling in New Zealand. General information relating to navigation, geography, geology, botany, zoology, and the traditions, customs, and character of the Natives, will be highly appreciated, and will be communicated from time to time to the scientific societies in England; but this must be considered an object secondary in importance to these inquiries which more immediately concern the Company and its colonizing operations.

You are aware that numerous vessels resort to New Zealand on their way to England, and that there is constant communication between the Islands and the neighbouring Colonies of New South Wales and Van Diemen's Land. You will therefore have great facilities for communicating with the Company. We expect to hear from you by every possible opportunity, and to receive frequent reports from you on scientific and geographical subjects. It is indeed expedient that all the journals should be written in triplicate, and that two copies should be forwarded to us by different vessels. This is a matter of essential importance, and may be easily provided for by forecast and attention; so that whenever an opportunity of sending occurs, the copies of the journals down to that time may be ready to send. We are assured that the volunteers in the expedition will cheerfully assist in copying.

III. Considering the excellent sailing qualities of the "Zeal," and that you are simply equipped with provisions and water, we trust that you may reach Cook Strait, without touching anywhere, by the end of August. As soon as you have completed your business there, which we are in hopes may not occupy you more than two months, you will proceed to Kaipara, and thoroughly inspect that harbour and district. You will also take the best means in your power of ascertaining whether there is, to the southward of Kaipara, a spot more suitable than that port to become the seat of the commercial capital of the North Island; and if you should discover such a spot, you will endeavour to make an extensive purchase of it.

At Kaipara you will exhibit to the Natives the original contracts of Lieutenant McDonnell, and will claim on behalf of the Company the lands therein named. You will also inform the Natives that Lieutenant McDonnell intends to proceed to New Zealand ere long; you will deliver to the chief the letter whereby he informs them of his having transferred his lands there to the Company; and you will take whatever steps you may think most expedient to obtain possession of this tract in the name of the Company.

Supporting you to have selected from any purchases that you may make in Cook Strait, or the neighbourhood of Kaipara, or in the district of the Company's lands at Kaipara, that spot which you shall deem the fittest for a first settlement—that spot which shall present the most satisfactory combination of facility of access, security for shipping, fertile soil, water communication with districts abounding in flax and timber, and falls of water for the purpose of mills,—and where the Native inhabitants shall arrive the greatest desire to receive you, and of such a kind that you may make all such preparations for the arrival of a body of settlers as the means at your disposal will allow. Amongst these it occurs to us that the Natives should be employed, at liberal wages, in felling the best kinds of timber, taking the logs to the place which you may have marked out for the site of a town, and also in collecting and preparing flax and spars as a return freight for vessels which may convey settlers to the place. You should also make the Natives thoroughly aware of the nature and extent of the intended settlement, so that they may not be surprised at the subsequent arrival of a number of large ships. And at this spot, when you quit it, you will of course leave such persons as you may be able to spare, and shall be willing to remain, for the purpose of assuring the Natives of your return, and of pursuing the labours of preparation. On quitting this spot you will proceed directly to Port Hardy, in D'Urville's Island, where you will remain until some of the Company's vessels shall arrive from England. By the first and subsequent vessels you will receive further instructions. It is of essential consequence that you should, if possible, reach Port Hardy before the end of August, so that you may have an opportunity of ascertaining the means of transporting to the Company's vessels that will be directed to touch there by that time, a full account of the spot on which you may have determined as the site of the first settlement.

In addition to the three subjects on which we have already expressed our views, there are several points to which we must direct your attention.

You will consider any act of aggression or affront from any of the Company's servants towards any Native of New Zealand as a sufficient reason for immediate dismission from the Company's service, and it will not be possible to overlook the matter. Drunkenness, though in this case the same publicity may not be necessary, should be invariably visited with a similar penalty.

You will take care that the servants of the Company show every mark of respect to the missionaries with whom you may meet, and also in conversation with the Natives respecting them. This is due to their calling; it is deserved by the sacrifices they have made as the pioneers of civilization; and will moreover be found of service in your intercourse with the Natives, whether in the southern part of the North Island at least, regard missionary settlers with the greatest respect.
Except in cases of unavoidable necessity, the servants of the Company will perform no work on Sunday; and you will always assemble them for public worship on that day. You will find that the Natives who have had much intercourse with missionaries draw a marked distinction between those settlers who work on Sundays and those who do not, regarding the former as inferior people, and the latter as respectable or gentlemen.

You are aware of the objections of the officers of the Church Missionary Society in England to any legislation for the purpose of the systematic and well-regulated colonization of New Zealand. We are assured that the members of the different missions established in New Zealand, whether Churchmen, Catholics, or Wesleyans, by no means share in these objections, but are, on the contrary, most desirous that a British authority should be established, as will for the protection of the Natives from the aggressions of lawless Englishmen as for the general security of person and property throughout the settlements already formed, and the islands in general. Upon this point, however, and with respect to the feelings of the Native chiefs on the subject, you will endeavour to obtain and will transmit to us from time to time the fullest and most accurate information.

We shall be particularly anxious about the site of Naytl. He is no longer a New Zealander in manners, habits, or tastes, but has acquired those of a well-bred Englishman. This result of his sojourn in England has occurred, we believe, chiefly by means of the peculiar treatment which he has received in this country. Though a complete savage when he arrived, he was at once placed on a footing of equality with the family who brought him to England, and has never by anybody been treated as an inferior being. You are acquainted with his sterling good qualities, and aware of the respect in which he is held by numbers. He is very proud of having been invariably treated with respect, and of the estimation in which he has obtained in England. By cultivating this sentiment, by admitting him to all the privileges of an officer of the Company, by constantly asking yourself of his services as an interpreter, and consulting him as to the modes of establishing friendly relations with his countrymen, and by exhibiting him to them as your confidant and friend, you will not only prevent his return to the haunts of savage life, but you will hold up a most useful example to the young men of superior families in his own tribe and others. The great obstacle to the civilization of a barbarous people is the difficulty of providing for the continual relative superiority of their chief families. If these can be made persons of consequence in the settlements established by a civilized race, they will be able to protect and improve the lower orders of their countrymen. This object, we believe, may be accomplished by systematic patronizing. It is an object to which the Company attach the highest importance, and one which, we trust, may be promoted by holding up Naytl to his countrymen as conclusive evidence of their capacity for performing useful parts and occupying respectable positions in a community of British emigrants. And you will not fail to seize any opportunity that may occur of inducing other Natives of the chief families to follow Naytl’s example, by qualifying themselves for superior employments, and for enjoying the really valuable property which all such persons may hope to acquire if the Company’s plan, with respect to reserves of land for the Natives, should be generally established by means of a legislative measure.

In case any calamity should befall yourself, the command of the expedition will devolve upon each person so you have previously selected for that purpose, who will attend to these instructions as if they had been addressed to him.

No. 2.

Mr. Commissioner Span’s Report to Governor Fitzroy, on the New Zealand Company’s Claim to the Nelson District.

Office of the Commissioner for investigating and determining Titles and Claims to Land in New Zealand,

Auckland, 21st March, 1845.

Sir,—

I have the honor to lay before your Excellency the result of my investigation into the New Zealand Company’s claim to land comprised in cases Nos. 3741 and 3742, and founded upon two deeds heretofore recorded, and dated respectively as per margin.

As the Company’s Principal Agent has preferred claims under these deeds to three separate tracts of land in different parts of the Northern and Middle Islands, I propose, for the sake of perspicuity, to divide this report into three parts, by which I shall be enabled to deal separately with the claims to the several districts of Nelson, Porirua, and Manawatu; and the general preliminary observations in the first part must be considered as applicable, with certain modifications, to the remaining divisions —

Part I.—Nelson.

I will in the first place briefly mention under what circumstances, and upon what grounds, the Agent of the Company lays claim to these lands; and after attending to the evidence which I have taken at different times and places in this case, I will state what is my final judgment upon a careful review of the whole subject, together with the reasons which have induced me to arrive at such a conclusion.

I entered into the examination of this case on my first arrival at Port Nicholson, when Colonel Wakefield produced in my Court the two deeds before referred to, under which he claimed the lands already mentioned.

The first of these deeds was executed at Kapiti by the chief Rangiwha, Rangiheta, Hiko, and, others, members of the Ngatiwa Tribe, and professes to convey all the claims to land within the signing party, within the 43rd degree of South latitude, in the Middle Island, and an imaginary line drawn from Nelson, on the West, to Tuhu Karoro, on the East Coast of the Northern Island. A considerable quantity of merchandise was given on this occasion to the signing parties, consisting of the articles at that time usually given for land in this Colony, namely, blankets, guns, gunpowder, and other articles
(a list of which is inserted in the deed of conveyance), the receipt of which has never been wholly denied by the Natives.

The second deed under which this land is also claimed was executed in Queen Charlotte’s Sound, on the 8th November, 1839, by a large number of the Natives who compose one of the numerous
branches of the Ngatiawa Tribe. The lands alleged to be conveyed are mostly of the same description, the extreme boundaries are precisely the same with those mentioned in the former deed, and the
consideration of land is of a similar character and of nearly equal amount.

These are the two deeds to which in my former reports I have more than once had occasion to allude, as the overriding deeds under which the New Zealand Company asserted that it had "acquired
territories amounting to about one-third of the whole surface of New Zealand." I had therefore been compelled to inquire into the title of that body to that moiety of this enormous territory, my labours at this moment would have been far from a termination, but my investigation of its claim has been of course materially narrowed by the arrangement with Rev. Mr. M’Glashan, which restricted the
scope of my inquiry to certain areas of land in certain localities. I have also myself still further lessened the extent and difficulty of the inquiry on all occasions by calling upon the
Principal Agent to produce in my Court plans showing the exact blocks, and the contents in acres, on which it was his intention to produce evidence, and by restricting him from extending the
surveys beyond the boundaries delineated upon the plans after they had been exhibited in Court.

From various causes connected with my investigation of the Company’s claim to the Port Nicholson District, I was unable to take any Native evidence on this subject until the 30th April, 1848,
when I examined Rangihauata and Rangihoaata, the principal parties, as I have already shown, to the first
or Kapihi deed at Otaki. I have adverted at length in my first general report, under date the 12th day of
September, 1843, to the circumstances which compelled me on that occasion to enter into the
examination of such important witnesses on the subject of the sale by them of land to the New Zealand
Company without the presence of an agent of that body to conduct the inquiry on its behalf, and to
point out to what portions of land and in what districts a title was sought to be substantiated by their
testimony; but the examination, therefore, at Otaki, so far as the two honoured witnesses who were
concerned, was directed to the whole transaction of the purchase at Kapihi, as already detailed by Colonel
Wakefield in his examination at Port Nicholson; and having heard his statement as to what lands he
supposed himself to have acquired by this purchase, I was anxious to ascertain what portions of it the
conveying parties would now acknowledge they intended at the time to cede, and to what extent they
would now admit the payment of the consideration which had been already deposited.

I was particular in my inquiries of Rangihauata as to what lands he had sold to Colonel Wakefield
on the Midland Island as well as the Northern Island, and while he acknowledged the receipt of a
considerable quantity of property, he would not admit that he had ever sold or intended to sell any other
place than “Taitupu,” by which name the Natives, I believe, designate a district in Massey Bay, forming
part of the Nelson Settlement. Rangihoaata’s testimony was equally positive as to the sale of no other
place than “Wekaha,” the Native name of the district in the immediate vicinity of and including
Nelson Haven. I subsequently examined Hiko and Taitahangi, also signing parties to the Kapihi
deed, and their evidence, though not so reluctantly given as that of the other two, was of a very similar
nature, and confirmatory of their statements.

I need not here advert to the melancholy occurrence which prevented my visiting the Middle
Island in my judicial capacity as I had intended in June, 1848. It will be sufficient for me to
say now that I had previously to that event every reason to anticipate an arrangement with those
chiefs by a payment from the Company which should have set at rest for ever the existing disputes on
the subject of the surveys and occupation of land in that island. From every conversation I had with
the Natives upon the subject, I was induced to suppose them willing to enter into such a
composition.

I shall have occasion to allude presently to the nature and extent of their territorial rights on this
Island, when I come to speak of the district to which they have so fatally attempted to assert
and maintain their title.

Such being the state of the evidence on the Company’s claim to land in the Middle Island, I opened
my Court at Nelson to investigate the case on the spot on the 18th of August last. I was perfectly
willing to entertain the claims of the Ngatiawa chiefs when I have already named, so far as I was assured
of their actual residence on and cultivation of parts of the various portions of land of which they
declared themselves owners; but in accordance with a principle which I have more than once laid down in
my communications to your Excellency and your predecessors, and which has guided my decisions in
many instances, and been confirmed by all the evidence I have ever taken on the subject, namely, that
mere conquest, unsupported by actual and permanent occupation, and more particularly where the
constant and never-ending menace of occupation, or being left it for a short time only, and occupies it for
as series of years, bestows no title on the invaders. I felt it my duty to receive the evidence, and listen
to the statements of the Natives residing within the blocks surveyed by the Company to be given out
to its purchasers, in order to ascertain who were the actual owners, according to what I had found to
be the Native custom.

Previously to visiting Nelson I sent forward my interpreter, Mr. M’Farlane, who employed himself
in visiting several districts in the Nelson settlement, and endeavouring to ascertain the extent of the
Natives’ claims. He left for a short time to visit the Natives at Nelson, that the Natives were anxious waiting my coming amongst them, and that there existed a favourable
disposition in the minds of those in the neighbourhood of Nelson, Motukau, and Muscato Bay. The
Natives from all these places had received large presents from the late Captain Wakefield on his first
arrival with the preliminary expedition, which they were ready to admit before me; and under these
circumstances, Mr. M’Farlane informed me that he anticipated an early settlement of the question so far as
they were concerned, and that although he thought it not unlikely they might expect some small further
payment, yet they had all expressed an anxious desire to abide the terms of my decision on the subject,
and to rest content with whatever I should award them.
Herewith I enclose your Excellency a copy of the minutes of the proceedings in my Court containing the substance of what I stated to the Natives on the subject of this purchase, and the manner in which a proportion of the whole sum ultimately agreed upon to be given to the Natives as a further payment (£300) was appropriated by Mr. Clarke under my sanction and superintendence. The first witnesses examined were called before me by Colonel Wakefield for the purpose of proving the fact that various presents were made soon after the arrival to bust that necessity occurred by the late CaptainWakefield, the late Resident Agent, to the Natives of Wapakars, Moineas, and Masacre Bay.

A schedule herewith enclosed, showing the appropriation of goods of various descriptions to the amount of £300 13s. to the Natives of the above districts, was put in and proved on this occasion, and substantiated by the concurrent testimony of several gentlemen who witnessed this transaction with the Natives, and was subsequently verified by a reference to the books of the Company's stockroom. From the late Captain Wakefield, immediately on his arrival with the preliminary expedition, assembled the resident Natives of the several districts, in the immediate vicinity of Nelson and informed them that he was about to take possession of the land by virtue of a purchase made by Colonel Wakefield, at Kapiti, of Hauparas, Hiko, and others; but that, as it was customary on such occasions to make presents to the resident Natives, he was ready to give them certain articles of merchandise, which they were to receive on the distinct understanding that such goods were not to be regarded in the light of a further payment for the land, but merely as presents.

It is impossible to deny to the memory of Captain Wakefield the tribute of praise so justly due for his liberal and judicious policy, and it is to be regretted that a similar course had not been adopted in other districts on the like occasions, in which case I feel persuaded that much of the opposition which in other settlements has so severely retarded the colonists would have been obviated or removed. At the same time it may be remarked that the distinction thus sought to be drawn between a further payment for land and a present was somewhat too fine-drawn for the considerations of the Natives and I think it probable that, had his assumed position not in claiming the land under a purchase from the conquerors only, and not admitting, to some extent, the title of the Natives whom he found in actual possession. Thus, while he made them presents to consolidate their friendship and good-will, and in a manner reconcile them to parting with their land, he refused to admit their title to any of it, and consequently was at no pains to procure from them any acknowledgment of the receipt of the presents, or any declaration in writing of the land which they then virtually consented for such consideration to alienate.

Had this been done, I have little doubt that the resident Natives would have regarded and acknowledged the transaction as a regular sale and disposal of their lands. As it was, an over-anxiety not to compromise the Company's title under the original alleged purchase in some measure counteracted the beneficial results of the otherwise judicious course adopted by the Resident Agent.

To it, the only Native witness called before me by Colonel Wakefield, endeavoured to throw discreditable on the testimony already taken, and gave his evidence not without reluctance and some procrastination. I saw that he was under the impression that by denying having received, in common with many others, the presents which had been made to him by Captain Wakefield, he should insure for his people some further payment, in order to obtain which few Natives will refrain from making statements contrary to fact. Mr. Protector Clarke intimated to me that Toiti was not speaking the truth that he had been with him in the morning before he came into Court, instructing him as the advocate of the Natives as to the real state of the case, and that he then told a different story to his present statement. Mr. Clarke then gave him a strict cross-examination. I was therefore glad to find Mr. Maerant of the McKenzie's Company to support his application for an adjournment, with a view to obtain an opportunity of impressing upon the Natives the necessity and propriety of their stating the truth, and of explaining to them that an admission of what had actually taken place on the arrival of Captain Wakefield would not have the effect of lessening any claim they might show they still justly advanced, or of causing their real interests to be overlooked or disregarded.

I readily granted the adjournment, and endeavoured through my interpreter to impress upon the Natives generally the propriety and expediency of their telling me the truth; after which they separated to meet Mr. Clarke again in the afternoon.

Next morning, however, Colonel Wakefield applied to me to suspend my inquiry, and to allow him to compromise the matter, by authorizing Mr. Clarke to negotiate with the Natives for the receipt of a further payment; to this I immediately assented, and went myself among the assembled Natives accompanied by Mr. Clarke and Mr. Maerant, who had much conversation with many of them, the general tenor of which was favourable to the terms of the settlement we were anxious to accomplish. I need say no more on this conference, which your Excellency will see fully described in the minutes before referred to, and which resulted in the payment as above stated to all the Natives present of the sum which Mr. Clarke had agreed upon with Colonel Wakefield as a final consideration for the cession of their land. I proceed, therefore, at once to state in a few words my reasons for sanctioning the composition which was voluntarily by Colonel Wakefield.

The evidence of the gentlemen who had witnessed the transaction had left no doubt upon my mind that a very liberal distribution of goods had taken place under Captain Wakefield's directions amongst the several districts to which I referred in the view taken of the circumstances. I found no deed had been signed on that occasion defining the boundaries of the land treated of between the parties concerned.

From Toiti I also, by a little cross-examination, elicited a reluctant confirmation of these statements, and an admission that he, with many others, had received presents from Captain Wakefield, who had endeavoured to impress upon them that the land had been already sold by Haupararos and others, and that what he then gave them was merely a freewill offering, and by no means to be regarded as a settlement for payment.

I was satisfied from all the evidence that the Natives had always looked upon the transaction with Captain Wakefield as an alienation of their rights and interests in the lands treated of; more
particularly as it appeared that they had at the time stipulated for the retention of a certain portion of a large wood at Matauha, as well as the retention of their past and cultivation; and I found that the conditions, as regarded Motukia, had been in a great measure complied with, by the allotment into Native reserves of a considerable portion of the "Big Wood" in that district. The Native with whom (being a close friend of his countryman) I could not deny having received the presents so often referred to, or that he considered them as given in lieu of the interest in the land; but he evidently wished to ground a claim to some further remuneration on the double plea that he had received no portion of the payment originally made to Bausparaha at Kapiti (whom he asserted he had assisted in conquering the country), and that no boundaries of the land were mentioned as agreed upon between Captain Wakefield and himself. Under these circumstances I was inclined to consider that there had been an attempt by the Natives to obtain, which, with scarcely an exception, they had all participated, to be aware of the time of the nature and satisfied with the termination of the transaction to which they had been parties. I also bore in mind that the lands included in the Company's surveys, with the exception of the Wairau, those of which Bausparaha and Banaclacta had admitted the sale to Colonel Wakefield at Kapiti, under the denominations of Wakanui and Tawapi. Thus, whatever might have been their right to an interest in these lands, by their own evidence it had been alienated and paid for. Unless, therefore, some much stronger evidences than I had yet heard could be given by the Natives in contradiction of the statements made by the English witnesses, I was prepared to decide in favour of the Company, without allowing the resident Natives any further compensation.

But when I found Colonel Wakefield ready, after examining but one Native witness, to negotiate for a further payment, and understood from Mr. Clarke that he was prepared to arrange for the final alienation of the Native claims by the payment of a few hundred pounds, which the Principal Agent was willing to advance, I was glad of an opportunity of so easily complying with the expectations without acknowledging the rights of the Natives, and by effecting an immediate adjustment, of leaving this settlement in quiet possession of the land, and on amicable terms with the resident aborigines.

By this arrangement the boundaries of the several districts were finally and definitely agreed upon by the Natives, on their past and cultivation, and the provisions for the future, and one or two exchanges of the reserves for their use and benefit were effected by Mr. Clarke, at their instance and in compliance with their wishes; and your Excellency will perceive by the minutes that the Natives in the immediate vicinity of Nelson were paid as per margin, for which sum of money Motukia... £200

Wakanui... £100

Nga Piko... £50

Mr. Clarke paid Nga Piko £10 for services he had rendered in assisting to get the other Natives to accept the offered terms.

The surplus of £290, out of the total sum of £300 agreed upon between Mr. Clarke and Colonel Wakefield, was designated by the former gentleman to be appropriated to the resident Natives at Massacre Bay, which has not attended the Court.

After waiting several days in expectation of the arrival of these Natives, I was induced, in order to save time, to send Mr. Clarke, accompanied by Mr. Meaen, my interpreter, to Massacre Bay, to negotiate with the resident Natives there, and bring them over to receive their proportion of the compensation in my presence. I had seen two of the chiefs from this district, who were very favourably disposed towards the Company. I knew one, and who, with much zeal, had already, according to Mr. Clarke, spoken to the Massacre Natives of Motupipi positively refused to take any further payment, alleging their former ignorance of the value of the coast found in their neighbourhood as a ground for not demanding some enormous consideration as an equivalent for the newly discovered worth of their property.

I entirely concur in the view, which Mr. Clarke has taken of this case under these peculiar circumstances, and I see no reason for not including the district of Massacre Bay in the award to the New Zealand Company, subject to the payment of the sum of £290, which Mr. Clarke has placed to his own credit in the Union Bank of Australia at Nelson, leaving it to your Excellence to determine in what manner it shall be disposed of for the benefit of those for whom it was intended, should they still refuse to accept it.

I should have felt it my duty, on Mr. Clarke's return, to have insisted upon the production in my Court of the Native witnesses from Massacre Bay, or even, if necessary, have adjourned my sittings to that district, for the purpose of taking their evidence upon the spot; but Mr. Clarke having informed me in his letter that he had no intention of offering any opposition to the claims advanced by the Company, and having declared himself satisfied with the coincidence of the Native statements with the sworn testimony of the European witnesses, I deemed such a course unnecessary, more particularly, as Mr. Clarke has expressly stated "that he could only consider the proposed payment in the light of a grant, and not as a matter of right, so far as the Natives of Massacre Bay were concerned." I am therefore disposed to consider that this compromise and satisfactory adjustment of the Native claims in all the districts (excepting Wairau) in the Nelson settlement is a perfect arrangement.

In reporting on this case, I may perhaps be allowed to draw your Excellency's attention to an extraordinary confirmation, as exhibited in the conduct of Captain Wakefield on his arrival at Nelson, of the view which I have long since taken of the purchase alleged to have been made by Colonel Wakefield at Kapiti. I have shown in former communications on the subject, that the territory sought to be affected by that transaction was so enormous in extent as the
claim which was advanced under it was proprietary in principle. I have shown that land was thus claimed to which those who pretended to convey it had not in equity or by Native custom the shadow of a right; upon which these people had never exercised any acts of ownership whatever since the discovery, in connection with their then allies, its present occupants, it was conquered by the extermination of its inhabitants.

I have shown that many tracts of these vast territories are now in the possessive and unpossessed possession, in the strictest meaning of the term, of large bodies of Natives, who may be divided into three classes—those who never had and had retained possession of portions of the conquered territory; those who have returned from captivity, and now, from long suffering, are fairly repossessed of their lands; and those who, as was the case at Waingani, having escaped to the mountain fastnesses in the interior on the approach of the conquerors, returned on their departure, and have kept up the unoccupied occupation of their ancient possessions; and, finally, personal investigation has convinced me that these resident Natives had never been in the remotest degree parties to, many of them never heard of, the transaction by which the land they dwell on, the soil they tilled, was sought to be disposed of to another by the pretended possession of some imaginary rights of territorial sovereignty.

I have set it down as a principle in sales of land in this country by the aborigines, that the rights of the actual occupants must be acknowledged and extinguished before any title can be fairly obtained upon the strength of the mere satisfaction of the claims of the self-styled conquerors, who do not reside on or cultivate the soil. In short, that possession confers upon the Natives of one tribe the only and real title to land as against any of their own countrymen; and that the residents, whether they be the original unadorned proprietors, the conquerors who have retained their possession acquired in war, or captives who have been permitted to re-occupy their land on sufferance—in all cases the residents, and they only, have the legal right of the soil.

I have no need to seek for confirmation in the acts of others of the correctness of a principle which I have found to be universally acknowledged, and which the concerning though often reluctantly given, and therefore more material testimony of every Native I have examined has invariably substantiated, but the very first act of the leader of the Nelson preliminary expedition in paying over again (for such was the real state of the case) the actual residents whom he found in occupation and undisturbed possession, was a proof of his capacity and sagacity, while two years before, had been pretended to be conveyed to the Company by two or three chiefs of another tribe, affairs so confirming a proof, from a greater tribe, least expected, at once of the justice of my decisions, and the deficiency, and his conviction of the deficiency, of the alleged original purchase, that I cannot pass it over without particular observation.

It is stated in the evidence given by Colonel Wakefield and Broek the interpreter, that Captain Wakefield touched at Kapiti on his way to Nelson; that he saw Rauparaha, who then acknowledged his sale of Blind Bay to Colonel Wakefield, a curious coincidence, it may be remarked, with his evidence given nearly three years afterwards, wherein Rauparaha, in Blind Bay, forms the solitary exception to his denial of any title of land to the Company's agent. Bangigibati has also, as I have stated above, admitted having disposed, by the transaction at Kapiti, of his rights in Wairau, in Blind Bay.

I am now come to speak on the subject of the Wairau. This district is mentioned in the deeds already referred to, but, your Excellency has been by what I have said concerning Rauparaha's evidence, was never admitted by that chief to have been sold to Colonel Wakefield, nor was any particular testimony given on the subject before me at Port Nicholson. I was naturally very anxious on this subject when I opened my Court at Nelson, and certainly did not anticipate that it would be passed over entirely without any evidence being offered on the subject. Such, however, was the case; and although the principal agent put into Court a plan showing the land surveyed and required there, he attempted no proof of its purchase, and made no reference to the subject when Mr. Clark asked £800 as the amount of compensation to be paid to the Natives, exclusive of the district of the Wairau.

It is true, that in such a case as this, under these circumstances, considering the positive denial of Rauparaha and Bangigibati of the sale of Lennard and of any alienation of any land to the Company or of Captain Wakefield having, on his arrival, made any other bargain with the resident Natives or proprietors of it, as he did with those of the other districts comprising the Nelson settlement, I am compelled to state that I am not prepared to consider that the district of Wairau be concluded in the Crown Grant to be made to the New Zealand Company of the land in the Middle Island.

I am aware of the peculiar and very delicate nature of the duty of deciding on this question, involving, as it necessarily must do, a reference to the melancholy occurrence connected with it, which has caused this subject to assume so painfully prominent a position in the eyes of the British Government, and I may perhaps, with equal truth, be allowed to add, the British public. Nevertheless, I have come to the decision expressed above after much and careful deliberation, after a consideration of the evidence which has been given on the whole case, and which I cannot but declare has failed to prove in any way that the district in question was ever alienated to the Company by the parties from whom that body procured its agents, through whom its interest, as it was immediately purchased, and I entertain no apprehension that a candid and impartial perusal of the evidence will ever lead to any different conclusion.

I may now say a few words on the subject of the claims and property of Rauparaha and the Ngaitoko Tribe upon the Middle Island, which arise, as do their claims on the Northern Island, entirely from conquest, consummated by the extirpation or reduction to a state of slavery of the original proprietors, and followed up in some instances by continued occupation and partial cultivation of the land whereon they Live.

Driven by their more powerful neighbours, Ngapuhi and Waikato, from the districts which they originally occupied northward of Kawia, the Ngaitoko Tribe, assisted by the Ngatiawas and Ngatiatuns, conquered and overran the whole coast line of the Northern Island, destroying, leading captives, or driving into their mountain fastnesses, the denizens of the soil, from Kawia along the seaboard nearly to Hawke's Bay, sowing upon the islands in Cook Strait, and extending their conquests to the shores of the Middle Island, making frequent efforts to subjugate the tribes along the eastern coast as far south as Waitangi. But, although this day bears marks of Akaroa of the incursions of these ferocious conquerors, and sometimes carrying war, though with less success, into their enemies' country as far south as Foveaux Strait.
From Taranaki to Wanganui, to this day, as I have stated above, remain the tribes to whom the leaders of this expedition apportioned the land they now occupy as their share of the spoils and profits of the war. At the latter place their river enabled the Natives to escape the ravages of the invaders by a timely retreat to the inaccessible rapid and precipitous cliffs, whether their ensuing found it impossible to pursue them.

At several places immediately to the south of Wanganui the original proprietors have regained possession of their residences, where they live as a sort of tributaries to the conquerors in a state of great degradation and oppression; while in the Middle Island, the tribe Ngatiowia, the original occupants, is reduced to a mere remnant, living in the interior without any fixed dwelling-places, and even now hunted down by Reapanas and Waikas. At Manawatu, Wanganui and Waikato, the tribes Ngatiwairua and Ngatiwia maintain a possession which Reapanuas would find it foolish to oppose or deny.

At Port Nicholson Colonel Wakefield's purchase of the residents speaks for itself, and the Waianapa is at this moment occupied by large bodies of the original Ngatihak Uses. But have Reapanus or his tribe ever exercised any acts of ownership over any of the places which immediately after their conquest they did not at once occupy? Certainly not.

At Taranaki, Manawatu, Wanganui, and Waikato, Reapanuas has no claim whatever as against the resident Natives, who, having assisted him to conquer these places, located themselves there, and have kept possession ever since, and they would not for one moment recognize or allow any act of his to alter these places without their consent; while at Wanganui and Waianapa, the re-occupation by the original proprietors, who were driven by fear to the interior, has equally barred his claim to any land there, which would be rebelled by force were he to attempt to take possession.

The Waianapa, I believe, the same on the southern side of the Strait. The present residents throughout their districts of Nelson, Massacre Bay, and Queen Charlotte's Sound, were also allied with Reapanus and the Ngatiowia Tribe in the conquest of the Middle Island, and have occupied and retained their present positions since that period; and here again we see Colonel Wakefield attempting to purchase at Queen Charlotte's Sound the rights and interests of the resident Natives. The various districts, then, in real and legal title possession of the Ngatiowia Tribe are on the North Island, from Wairau to Port Albert, inclusive of both places; on the Middle Island, in Cook's Bay, comprising the Waianapa, a part of Queen Charlotte's Sound; and in the Strait, the Islands of Kapiti and Mana; and in each and all of these places the tribes both residences and cultivated lands. To these districts, then, they have always asserted and maintained their just and proper claims, in some instances disputing of, but generally retaining them for their own use; and all this is strictly in accordance with Natives usage in the tenure of land, as I have invariably laid it down as the result of all the evidence I have ever taken on the subject.

I have deemed it necessary to go thus much into detail of the acquisition by the present occupants of the immense territory of land sought to be affected by the treaty which was made at Kapiti; and from this cursory statement, founded entirely upon the testimony of the Company's own witnesses, your Excellency will be enabled to form an idea of the proper territorial rights of the Chiefs of the Ngatiowia Tribe on both sides of Cook Strait, bearing always in mind the principle of Native property in land, which I have above endeavored to explain. But your Excellency will also observe how the refutation of the right claimed for Reapanuas to dispose of lands which he has conquered, but which he has never been able to retain and cultivate, becomes an argument in favour of his legitimate and equitable property in all lands where it can be shown he has since that conquest resided on and used for his own proper purposes.

I must here again revert to the evidence on this subject which I took down in 1842 and 1843. Reapanuas, when examined at Otaki on the 26th April, 1843, stated (when simply asked what took place at Kapiti when Colonel Wakefield was there) that "(Colonel Wakefield) would make a request to purchase Waianapa also; and it dropped at that time, and I have never seen him since." He had immediately before stated that he was paid for—that is, he was sold—Tetam and alone; and on being asked pointedly whether he agreed to sell Waianapa, he replied with a direct negative.

The reference here alluded to as having been made by Colonel Wakefield to Waianapa is unanswerable in his evidence, or in that of Mr. Edward Birmingham Wakefield or Brook. I have already stated that Reapanuas acknowledged at the same time that he had sold only Waianapa on that occasion to Colonel Wakefield, positively denying the sale of any other land whatsoever. From this only evidence, then, which has been taken on the subject of the Waianapa—and even were these incorrectly—it is impossible that any other conclusion can be drawn than that at which I have arrived and recorded above as my deliberate judgment. We have seen the admission of the sale of two places, Tietapa and Waianapa, Massacre Bay and Blind Bay, by the chiefs from whom the present claim is advanced (though, he is distinctly remembered, even in these instances the resident Natives were subsequently paid over again); and to the occupation by the Company's surveyors and settlers in these districts, no opposition had been offered, up to the date of the sittings of my Court at Nelson, by the original selling parties. Far different is the case as respects the other two districts, of which the sale by the same parties has been as distinctly denied—Porton and Waianapa; in both instances the opposition to the surveys and occupation has been from the first systematic and determined. The inference is inevitable: in the one case the land was allowed to have been sold, in fact had been sold; in the other the sale was denied—in other words had never been affected.

I must here beg your Excellency's particular attention to the date of Reapanuas's evidence at Otaki, 26th April, 1843. I am thankful that it falls not within my province to express an opinion, far less a decision, on the fearful catastrophe which threw the settlement of Nelson into mourning for its best and dearest citizens; but nevertheless I feel it my duty, though a painful one, to remark at this stage of my report the minor fact that such evidence should have been in my Court affecting the very district of Waianapa, nearly two months before that catastrophe occurred. I regret the absence of the Principal Agent to the Company on this occasion (the cause was fully explained in my
first general report), because, had he been present, he would have had the opportunity of hearing the evidence and perceiving the disposition of the very material witnesses. I then examined—Nor can it be objected that evidence cannot be attached to the statement of these two chiefs. I have already remarked that their acts with reference to this land from the first have been strictly in accordance with their testimony; and it is worthy of remark, that the evidence of Noho and Taihanga, also signing parties to the same deed, is precisely to the same effect, though taken at Pokuru several days afterwards, and I believe given without any contact with the other witnesses. At the same time I must maintain that had these Natives never in any way allied to the Waikato, the case as regards that district would be the same, since no evidence of its purchase has been adduced by the Company's agent.

I feel convinced that I can say nothing further which can better explain to your Excellency my arguments and conclusions on this important subject than what I have already stated. Therefore—

I, William Spain, Her Majesty's Commissioner for investigating and determining titles and claims to land in New Zealand, do hereby determine and award that the Directors of the New Zealand Company and their successors are entitled to a Crown Grant of 151,000 acres of land, situate, lying, and being in the several districts of the settlement of Nelson, in the southern division of New Zealand, which said districts are divided as follows, that is to say—Wakorn or Nelson district, 17,000 acres, already surveyed; Waimai district, 39,000 acres, already surveyed; Motukika district, 42,000 acres, partly surveyed—the remaining quantity required to be selected from the portions of land coloured red in the Plan No. 1, hereunto annexed, and herein after more particularly referred to; and Massacre Bay district, 46,000 acres, partly surveyed; the remaining quantity required to be selected from the portions of land coloured red on the said plans; which said several districts and the quantity of land contained in each is particularly described and referred to in the enclosed schedule of the land required for the settlement of Nelson, as put into my Court as Nelson by the Agent to the New Zealand Company, and which said lands are more particularly delineated and described upon the accompanying plans, marked No. 7, saving and always excepting as follows:—All the pa, burying-places, and grounds actually in cultivation by the Natives, situated within any of the before-described lands hereby awarded to the New Zealand Company as aforesaid, the limits of the pa to be the ground fenced in around their Native houses, including the ground in cultivation or occupation around the adjoining houses without the fences; and cultivations, as those tracts of country which are now used by the Natives for vegetable productions, or which have been so used by the aboriginal Natives of New Zealand since the establishment of the Colony; and also excepting all the Native reserves upon the plans hereunto annexed, marked No. 11, No. 1a, coloured green, the entire quantity of land so reserved for the Natives being one-tenth of the 151,000 acres hereby awarded to the said Company; and also excepting any portions of land within any of the lands hereinbefore described, to which private claimants have already or may hereafter prove before the Commissioner of Land Claims a title prior to the purchase of the New Zealand Land Company.

I have, &c.,

WILLIAM SPAIN,
Commissioner.

His Excellency the Governor of New Zealand.

No. 3.

MINUTES OF PROCEEDINGS.

Nelson, 19th August, 1864.

The Commissioner held a Court this day for the investigation of the claim to land of the New Zealand Company in the district of Nelson.

Case No. 374a.
Case No. 374b.

The proceedings were commenced by the administration of the interpreter's oath to Mr. Edward Munnar.

Colonel Wakefield, on behalf of the New Zealand Company, then produced two plans of the surveyed districts in the Nelson settlement comprised under the present claims.

The Commissioner then inquired of Colonel Wakefield whether the land marked on the plans produced exhibited the total quantity of acres claimed by the New Zealand Company in that district.

Colonel Wakefield said, "That they did in this immediate district, but that he was not prepared to state the precise quantity of acres, but would furnish the Court with such particulars to-morrow."

The Commissioner then inquired under what deeds Colonel Wakefield claimed the land in this district.

Colonel Wakefield stated that he claimed the land under two deeds; one executed by Te Hapara and others at Kapiti, and another by a portion of the Ngati-Tama Tribes in Queen Charlotte's Sound.

The Commissioner then directed Mr. Protector Clarke to inform the Natives, "That the Court was now prepared to enter into the question of the sale of the land, and to receive any evidence Colonel Wakefield might adduce; after which any witness Mr. Clarke might have to call would be heard on the part of the Natives. That they must make known their case to Mr. Clarke, who would communicate their wishes to the Commissioner."

Mr. Clarke then addressed the Natives to the above effect.

Colonel Wakefield then said that, in consequence of the absence of several Natives, he was not prepared to go into any evidence until the next day.

Mr. Clarke, on similar grounds, proved an adjournment, which was granted. The Natives were then informed of this proceeding, and the Court adjourned until 10 o'clock a.m. the following day.
26th August, 1844.

The Commissioner held a Court this day, pursuant to adjournment of yesterday.

Witnesses examined.—Alexander MacShane, James Stewart Tyler, Thomas Duffy, and Alexander Macdonald.

Court adjourned at 6 p.m. until 10 a.m. the following day.

Nelson, 21st August, 1844.

The Commissioner held a Court this day, pursuant to adjournment of yesterday.

Witnesses examined.—Henry Daniel and Alexander MacShane (recalled), who produce a schedule showing the quantities of the goods given by Captain Wakefield to the Natives of the different districts. Schedule put in and verified by the production of the books of the New Zealand Company's storekeeper.

To Au, Native witness, then examined.

On the conclusion of the examination of this witness, Colonel Wakefield stated to the Court that in consequence of the protestation exhibited in the evidence of the last witness, he had no intention of calling any further Native witnesses that day, and that he must ask the Court for a further adjournment.

Mr. Protector Clarke joined in the application to the Court for adjournment, stating that he was convinced the last witness had not spoken the truth, and that he feared if any more Native witnesses were examined that they would only give similar testimony, he requested, therefore, that he might be allowed time to take to the Natives personally, to point out to them the necessity for their telling the truth before the Court concerning the whole transaction.

The Court adjourned accordingly until 10 a.m. the following day.

Nelson, 22nd August, 1844.

The Commissioner held a Court this day, pursuant to adjournment of yesterday.

The Company's Agent applied to the Court to suspend the investigation of the case; at the same time stating, it was necessary to make the Natives some further compunction, if Mr. Clarke would undertake to negotiate with them for the amount they would accept, and settle the boundaries of the lands in the different districts.

The Commissioner consented to this arrangement, and Mr. Clarke had a conference with the Natives. In the course of the day the Commissioner, with Mr. Clarke, met the principal chiefs of the district in the Court House, for the purpose of arranging the boundaries of the land, and the reserves and exchanges to be made.

After some volubly conversation, the Commissioner directed Mr. Clarke to impress upon the chiefs the necessity of their making up their minds as speedily as possible as to the amount they would receive; after this they separated.

Nelson, 24th August, 1844.

This day the Commissioner held a Court for the purpose of witnessing the payment to the Natives of the compensation which they had agreed with Mr. Clarke to accept.

The Natives having assembled to receive the compensation, the Commissioner addressed them as follows:—"Were I called upon, in the execution of my duty as Her Majesty's Commissioner, to decide whether you were properly entitled to receive any payment, I could not have awarded you any further compensation now, and for this reason: these lands were purchased long ago by Colonel Wakefield, of Haupapa's and others, at Kapiti. When Captain Wakefield afterwards came here, he went amongst you in the different districts, and made you large and liberal presents. The goods given in payment at Kapiti were very numerous, and these goods, added to what Captain Wakefield gave you and the money now offered, make the price of these lands higher than any that has ever been paid for in this country. The districts which have been lately paid for at Onson was purchased at a lower rate than this, though the land was nearly treble the quantity. But the Queen and the Governor wish to do something more for you now, and therefore Mr. Clarke has been sent to represent you in Court, and to advocate your interests. He has offered you the money which you have come this day to receive, not as a payment, but for the sake of making friends of you and the white people; to put an end to all the quarrels and disputes about the land, so that both races in this settlement may live peacefully and happily together in future.

The Commissioner then directed Mr. Clarke to show the Natives the deed of release which had been prepared for them to execute, and the plans of the lands, exhibiting the reserves and exchanges which were to be attached to the deeds.

Mr. Clarke then read the deeds in the Native language aloud, and showed the chiefs the plans. He then, by the Commissioner's direction, explained to them the nature and purpose of the transaction to which they were about to become parties, expressly informing them that their past, publications, and burdens would be reserved for their own use and occupation.

The Commissioner then inquired of Mr. Clarke, whether the Natives were sufficiently acquainted with the contents of the deed, and were satisfied with the amount proposed to be paid to them. Mr. Clarke replied in the affirmative, and the Commissioner directed him to obtain the signatures of the principal chiefs of each district previously to their receiving the money.

The deed of release for the district of Motuho was then executed by the chiefs Ngaporo, To Hī, Apakarae, and others, and by Mr. Clarke on behalf of the other Natives of Motuho." Mr. Clarke having thus stated, in reply to a question from the Commissioner, that he had obtained the signatures 16
of as many of the principal chiefs as he considered requisite, the sum of £200 was paid over to the above chiefs for the district of Motuki.

The deeds of release for the Natives of the district of Whakatu, or Whakapuaka, and the Natives of the Ngatiawa Tribe, were then produced, and the Natives were paid the sums awarded them as follows:

<table>
<thead>
<tr>
<th>Whakatu</th>
<th></th>
<th></th>
<th>£200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngatiawa</td>
<td></td>
<td></td>
<td>£100</td>
</tr>
</tbody>
</table>

The several deeds were witnessed by the Commissioner, Mr. Sinclair (the Police Magistrate), Mr. Batt, Mr. McDonald, and Mr. Clarke.

W. Sประส, Commissioner.

---

**No. 4.**

**SCHEDULE.**

Case Nos. 374-3 and 378.

A Statement of all Presents made to sundry Native Chiefs on account of the Nelson Settlement, by Captain Arthur Colburn, on behalf of the New Zealand Company.

29th November, 1841—Sundries given to Kieroro, as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 blankets</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1 felling axe</td>
<td>0</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>1 squaring axe</td>
<td>0</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>1 cwt. tobacco</td>
<td>4</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>100 pipes</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Kid powder</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>1 double gun</td>
<td>4</td>
<td>17</td>
<td>6</td>
</tr>
<tr>
<td>1 pair shoes</td>
<td>0</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>1 cwt. biscuit</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Total: £12 13 0

Freight & charges on acct. 5 6 3 = 24 19 8

22nd February, 1842—Sundries divided amongst the following chief:—Ngaspi, Parewa, Ngapi, Chedley, Te Poa, Tongarewa, Tai, Kia, Tuco, Po, Ngamamau, E, and Te Mapu—£ 6 0.

130 blankets, at 1a. 91 0 0
140 felling axes, at 7s. 4 17 6
13 squaring axes, at 7s. 4 11 0
13 cwt. tobacco, at 5s. 54 12 6
300 pipes, at 3s. 18 0 0
13 kid powder, at 1s. 14 12 0
13 double guns, at 8s. 63 7 6
18 cwt. biscuit, at 10s. 13 10 0

Total: £29 11 6

Freight, charges, &c. 68 18 5 = 369 9 11

£34 13 6

Sundries divided amongst the four following chiefs:—Pikihora, Tommy Street, Tamarango, and Kau.: £ 6 0.

40 blankets, at 1a. 28 0 0
4 felling axes, at 7s. 6d. 1 10 0
4 squaring axes, at 7s. 6d. 1 8 0
4 cwt. tobacco, at 5s. 16 6 0
1200 pipes, at 3s. 1 0 0
1 double gun, at 9s. 6d. 12 10 0
4 kid powder, at 4s. 5 16 11
4 cwt. biscuit, at 5s. 4 0 0

Total: £78 8 11

Freight, &c., on £49 18s. 12 6 9 = 88 10 5

£33 11 11

Carried forward ...

171 16 3

Brought forward...

£ 5 11 11

12th September, 1842,—

40 lb. flour, at 6s. 0 7 6
10 lb. biscuit (Ngapiko) 0 1 10
1 pair boots (Te Mapu) 0 7 6
1 pair blankets 1 4 2
1 gross pipes 0 2 6
10nd. window (Te Rei) 1 4 8
1 pair faniasa (Te Pai) 4 10 0
1 pair faniasa (Te Pai) 2 10 0

Total: £82 12 0

Sundries divided amongst the following nine chiefs in the Masacuro Bay District:—Kavati, Rawenata, Ari, Bugawa, Te Whet, Te Kohau, Pakokoward, Kie, and Te Ape.:

90 blankets, at 1a. 91 0 0
9 double guns, at £5 45 0 0
9 felling axes, at 7s. 6d. 2 9 6
9 squaring axes, at 7s. 6d. 2 9 0
9 cwt. tobacco, at 5s. 52 16 0
2700 pipes, at 2s. 2 14 0
9 bags flour, at 28s. 12 12 0
9 cwt. sugar, at 5s. 15 15 0

Total: £180 3 6

5th October, 1842—Sundries divided amongst the seven following chiefs in Masacuro Bay District of Ove and Takaka:—Kina, Kanes, Nana, Tai, Polia, Puta, and Whanganui—

70 blankets, at 1s. 6d. £23 7 6
7 double guns, at £5 25 0 0
7 felling axes, at 7s. 6d. 1 13 6
7 squaring axes, at 7s. 6d. 1 13 6
2100 pipes, at 2s. 2 2 0
7 bags flour, at 28s. 10 17 0
7 cwt. sugar, at 5s. 12 5 0

Total: £99 3 6

Freight, &c., on £5 10s. 1 16 0 = 95 3 6

Sundries issued to Mr. Duffy for distribution to Native chiefs of the Takaka District:—Wainow, or the Meet, Ewittu, Echii, Tikiri, Utira, Utira, Eeici, Eeici, and Te Ki.: £ 6 0.

44 blankets 37 5 0

Total: £43 11 11

Carried forward ...

£71 16 3
No. 5.

Mr. George Clark to Mr. Commissioner Spain.

Sir,— I have the honor to inform you that it is not my intention to offer any evidence in opposition to the claims of the New Zealand Company to the several blocks of land in this district which are delineated on the plans produced in Court, and signed by me, with the exception of Wairau, to which I shall presently refer.

I am induced to follow this course because, upon questioning the Natives, I find that their statement agrees with the evidence of the Europeans who have been examined in your Court. You are aware that upon Colonel Wakefield stating to me his desire to settle the question with the aborigines rather than have any cause for future disputes, and for the sake of insuring a good understanding between the two races, I considered that £200 sterling was ample compensation for their most ardent demands. This sum Colonel Wakefield immediately placed at my disposal, and I have subsequently paid over to the Natives, in your presence, £510.

In consequence of the absence of the majority of the Natives at Massacre Bay during the investigation in your Court I reserved the remaining sum of £230 for their use, and at the request of some of the chiefs of that district, with the concurrence of yourself, I proceeded to Massacre Bay, accompanied by your interpreter, Mr. Mearns. All these Natives, with the exception of one individual, admitted having received compensation from the late Captain Wakefield for their respective claims, but those of the Metoupi Pa positively refused to accept of the sum I had awarded to them, though the other Natives expressed their willingness to take it. I felt it more prudent to withhold the payment altogether until I had obtained the consent of all, especially as I could only consider it in the light of a guarantee and not as a matter of right, so far as the Natives of Massacre Bay are concerned.

Under these circumstances, I presume that the proper course to be followed will be for me to lodge the £230 in the Union Bank of Australia, to the credit of myself, as Protector of Aborigines for the Southern Division, leaving it to His Excellency the Governor hereafter to determine in what manner the money shall be disposed of for the benefit of the Natives in the event of their still refusing to accept of it. I shall feel obliged if you will witness the payment of it into the Bank.

With reference to the district of the Wairau, I deemed it unnecessary to examine any witnesses on behalf of the Natives, the Principal Agent of the Company having brought forward no evidence on the subject in fact, the absence of Te Baurapa and Rangihunta, and the tribe claiming that district, rendered it impossible to call Native testimony.

I have, &c.,

George Clark, Jnd.,
Protector of Aborigines.

Mr. Commissioner Spain, Nelson.

Nelson, 7th September, 1844.

*This amount was subsequently paid to the Natives of Massacre Bay in October, 1845, by Mr. Fox, the Agent of the New Zealand Company.*
No. 6.
Case 674-2. 3.

SOCIALITY OF THE PROGRESS QUANTITY OF LAND REQUIRED FOR THE SETTLEMENT OF MOOKEE, IN NEW ZEALAND, REFERRED TO IN THE ACCOMPANYING MAPS NO. 1. AND 2.

Name of the District. | Quantity. | Remarks.
--- | --- | ---
Wakatu or Nelson | 11,600 | Surveyed.
Waimea | 38,000 | Partly surveyed.
Monkura | 15,000 | Partly surveyed.
Matahaka | 43,000 | Partly surveyed.
Massacre Bay | 45,000 | Partly surveyed.
Wairau | 151,600 | Partly surveyed.
| 90,000 | Partly surveyed.
Total | 231,600 | 231,600

The quantity of land required is intended to be selected from the portions coloured red on the plans.

No. 7.

COST OF THE NEW ZEALAND COMPANY'S SECOND BID OF PURCHASE, INCLUDING THE NELSON DISTRICT. DATED 25TH OCTOBER, 1838.

Know all men by these presents, that we the undersigned chiefs of Ragiti or Hetiti Island, and the country adjacent to the said Island on both sides of Cook Strait in New Zealand, have this day sold and parted with all our rights, claims, titles, and interests in all the lands, islands, tenements, woods, bays, harbours, rivers, streams, and creeks, within certain boundaries, as shall be duly described in this deed or instrument, unto William Wakefield, Esq., in trust for the Governors, Directors, and Shareholders of the New Zealand Land Company of London, their heirs, administrators, and assigns for ever, in consideration of having received, as a full and just payment for the same, six single-barrelled guns, five double-barrelled guns, one hundred red blankets, five hundredweight and one quarter of tobacco, twenty watchets, fifty iron pots, two cases of soap, twenty bags of powder, one leg of lead slates, fifty cartonory boxes, one hundred tomahawks, twenty pipe tomahawks, ten guns of pipe, two dozen spades, fifty steel axes, one thousand fish hooks, sixty dozen shirts, two hundred yards of cloth, ten dozen pocket handkerchiefs, two dozen slates and two hundred pennies; five dozen looking-glasses; ten dozen pocket knives, five dozen pairs of scissors, five dozen dressing combs, one case of full carriage, five hundred shillings, six quires of cartridge paper, sixty jackets and pairs of trousers, one dozen flaxing costs, one dozen axes, two pounds of bees, and one dozen sharing boxes and races, which we the undersigned chiefs do hereby acknowledge to have been received from the aforesaid William Wakefield. And in order to prevent any dispute or misunderstanding, and to guarantee more strongly unto the said William Wakefield, his executors and administrators, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company of London, their heirs, administrators, and assigns, for ever, true and undisputed possession of all the foresaid lands, islands, &c., we the undersigned chiefs, for ourselves, our families, tribes, and successors, for ever, do hereby agree and bind ourselves, individually and collectively, to the description following, which constitutes the boundaries of the said lands, islands, &c., now sold by us the undersigned chiefs to the said William Wakefield, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company of London, the 25th day of October, in the year of our Lord, 1839, that is to say, the whole of the said lands, islands, &c., which are now in our possession, or to which we now lay any claim, or in which we now have any rights or interests on the southerly along as far as on the northern shore of Cook Strait in New Zealand, comprising all those lands, islands, &c., situate on the southern shore of the said Cook Strait, which are bounded on the South by the parallel of the 43rd degree of south latitude, and on the West, North, and East by the sea, including Taitapu, Whangaroa, Onetangi or Cape Firewall, Pekawe, Tuhaka, Tapam, Motua, Waimea, Whakatu, Whangape, Kaika, and Hawaiki in Blind Bay, Rangipoto or Drurville's Island, the Koeler or Pohere River, Admiralty Bay, and the several islands of Mangaroa, Kataro, Kakaho, and Makanaita situate therein, Omahas on Port Gare, Tatersall or Queen Charlotte's Sound, Wanganui, or Port Underwood in Cloudy Bay; the river, and district of Wairau, Pararumiti, Kowakowake, Te Kaha or Cape Campbell, Whangap, Mangamau, Kuaka, Akiu, Pakea Te Kaha, Orangi, and Te Whanga; and also comprising all those lands, islands, &c., situate on the northern shore of Cook Strait, which are bounded on the Northwest by a direct line drawn "h" on the southern head of the river or harbour of Mokau, situates on the West Coast, in the latitude of about 40 degrees south to Cape Tekahake, situated on the East Coast, in the latitude of about 41 degrees south; and on the East, South, and West by the sea, excepting always the Island of Kapiti or Entry Island, and the small islands adjacent thereto, and the Island of Mana or Teelo Island, all situate on the said northern shore of Cook Strait, but including Tekahake, Waiheka, Rangitakawa, Waitara, Taranaki, Whangarei, or Port Nicholson, Hinengaro, Clare, Takanaro, Chittoi, Pohuma, Okahite, Teretere, Waitai, Whaia, Okai, Gahwa, Manawatu, Sangikitei, Whangarei, Tarahine, Whangarei, Waitara, Mokau, Patarei, Taranaki, Manawatu, and the several other South East Islands, and the river or harbour of Mokau. And we the undersigned chiefs do hereby acknowledge for ourselves, our families, tribes, and successors.
for ever, to have this day received, all and just payment for the said lands, islands, &c., within the aforesaid boundaries; and he the said William Wakefield is to have and to hold the lands, islands, &c., as aforesaid unto the said William Wakefield, his executors and administrators, in trust for the said Governors, Directors, and Shareholders of the New Zealand Company, of London, their heirs, administrators, and assigns, free and clear, and forever and forever discharged, released, and acquitted of, from, and against all former and other gifts, grants, conveyances, sales, and encumbrances whatsoever; and we the said chiefs, as aforesaid, hereby, for ourselves, our families, tribes, and successors for ever, do covenant, promise, and agree to and with the said William Wakefield, in manner following—that is to say, that the said hereby bargained, promise, and every part thereof, are, and so for ever shall be, remain, and continue unto the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, free and clear, and forever and forever acquitted, discharged, and exonerated of, from, and against all former and other gifts, grants, conveyances, sales, and encumbrances whatsoever; and we the undersigned chiefs do further promise and bind ourselves, our families, tribes, and successors, to assist, defend, and protect the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, for ever, in maintaining an undisturbed possession of the aforesaid lands, islands, &c., sold by us to the said William Wakefield, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, for ever, as aforesaid. And the said William Wakefield, on behalf of the said Governors and Directors and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, for ever, does hereby covenant, promise, and agree to and with the said chiefs, in manner following: that is to say, that a portion of the land ceded by them, suitable and sufficient for the residence and proper maintenance of the said chiefs, their tribes, and families, will be reserved by the said Governors and Directors and Shareholders of the New Zealand Land Company, of London, and held in trust by them for the future benefit of the said chiefs, their families, tribes, and successors, for ever.

In witness whereof, the said chiefs of the first part, and the said William Wakefield, of the second part, have hereunto put their hands and seals this 5th day of October, in the year of our Lord 1839.

Te Hiko, his x mark.
Rampara, for himself, Naomana, and Noboura, his x mark.
Tuenga, his x mark.
Te Whetu, for himself and Mure, his + mark.
Taki, his x mark.
Boo, his x mark.
Pouki, his x mark.
Kamahiga, or Chalrey, for himself and brother, his x mark.
Rangihora, his x mark.
Tutahunga, his x mark.
Rangihetaea, his x mark.
W. Wakefield.

Witness—
Richard Lowry,
"George W. Lowe.
"George Doddyrey.

A true copy, the same having been compared with the original document by us,

R. T. Yates,
Commissioner's Secretary.
Bvd. Auckland,
Gentleman, Auckland.

No. 8.
COPY OF THE NEW ZEALAND COMPANY'S THIRD DEED OF PURCHASE FROM THE NATIVES.
DATED SIXTH NOVEMBER, 1839.

Know all men by these presents, that we, the undersigned chiefs of the Ngatiawa Tribes, residing in Queen Charlotte's Sound, and other places on both sides of Cook Strait in New Zealand, have this day sold and parted with all our rights, claims, biffes, and interests, in all the lands, islands, tenements, woods, bays, harbours, rivers, streams, and creeks, within certain boundaries, as shall be truly described in this deed or instrument, unto William Wakefield, Esquire, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns for ever, in consideration of having received, as a full and just payment for the same, ten single-barrelled guns, three double-barrelled guns, one hundred red blankets, ten hundredweight and two quarters of tobacco, sixty muskets, fifty iron pots, forty kegs of gunpowder, two kegs of lead balls, fifty cartouches boxes, one hundred tomahawks, one case of pipes, bow-staves, twenty axes, ten adzes, one thousand fish hooks, five dozen shires, two hundred yards of print, ten dozen pocket handkerchiefs, two dozen slates, and two hundred pencils, two dozen looking-glasses, three dozen pocket knives, two dozen pairs of scissors, two dozen combs, two pounds of beads, one dozen shaving boxes and rasors, one thousand flints, twelve jackets and pairs of trousers, five quires of cartridge paper and twelve bullock moulds, and two cases of soap, which we, the aforesaid chiefs, do hereby acknowledge to have been received by us from the aforesaid William Wakefield; and in order to prevent any dispute or misunderstanding, and to guard us more strongly unto the said William Wakefield, his executors and administrators, in trust for the said Governors, Directors, and Shareholders of the New Zealand Company, of London, their heirs, administrators, and assigns, for
ever true and undisturbed possession of the aforesaid lands, tenements, islands, etc., as the undesignated chiefs, for ourselves, our families, tribes, and successors; for ever, to hereby agree and bind ourselves, individually and collectively, to the description following, which constitutes the boundaries of the said lands, islands, tenements, etc., now sold by us, the undesignated chiefs, to the said William Wakefield, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company of London, this eight day of November, in the year of our Lord one thousand eight hundred and thirty-nine—that is to say, the entire extent of the said lands, islands, tenements, etc., being described as follows: in our possession, or to which we now lay claim, or on which we now have rights or interest; on the southern as well as on the northern shore of Cook Strait, in New Zealand, comprising all those lands, islands, tenements, etc., situate on the southern shore of Cook Strait, which are bounded on the South by the parallel of the forty-third degree of south latitude; and on the West, North, and East by the sea, including Takapu, Wanganui, Motuihe, or Cape Farewell, Pahau, Takaka, Tawhiti, Motukuru, Whakara, Wakaani, and East Bay, in Blind Bay; East Bay; East Cape; Motuihe Island, the Rimu or Paloma River, Admiralty Bay; and the several islands of Motukura, Karori, Kakahuki, and Mahiahuata, situate therein; Ohanga: Bay or Port Gore; Queen Charlotte's Sound; the Tory Channel; including Motukika, Awhitu Obokeka, Motokeko or Ship's Cove, Te Kauara or Shag Cove, Pounamu or West Bay, Watapu Mintua, To era Wahi, Anahiku, Ngatoka, To Wenea, Wohiko, Whau Menga, Kotuka Atuma, Opau Mohi, Ti Roe or Oyster Bay, Owatu Umu, Ngahau, the Islands of Arahapa, including Okutari, Wakaani, and East Bay; the Islands of Motukura, Kaiutu or Long Island, Matapara, and the Tai Klopi, Wanaumy or Cloudbay, the river and district of Waikou, Parasouwiti Kasperko, Te Karara or Cape Campbell, Waipu, Mangamoua, Kaihura, Aitui, Pokatu Te Kiaka, Omahi, and Te Waha; and also comprising all those lands, islands, tenements, etc., situate on the northern shore of the said Cook Strait which lie on the North-east by a direct line drawn from the southern head of the river or harbour of Mokau, situate on the West Coast in latitude of about 39 degrees south, to Cape Whakahoro, situate on the East Coast, in the latitude of about 41 degrees south, and the Washidge of the said Islands of Kaitakahi or Entry Island; and the small islands adjacent thereto, and the Island of Masts or Table Island; all situate on the said northern shore of Cook Strait, but including Tuhuhuro, Warehaua, Rangikaua, Wairara, Turanga, Waimaramaritas or Port Nicholson, Binarah, Oingleton, Onera, Tekamoro, Oraru, Triki, Puruna, Obokeka, Te Rewarea, Waiowia, Wiwi, Clot, Gwia, Maowea, Nankiti, Waipenui, Turangia, Wanganui, Wakaani, Wakaunu, Whakatere, Whenuakura, Patu, Takaehe, Ngatuiru, Pakakaito, Taranaki, Motukura, and the several larger East Island, and the river or harbour of Mokau; and we, the undesignated chiefs, do hereby acknowledge, for ourselves, our families, tribes, and successors for ever, to have this day received full and just payment for the lands, islands, tenements, etc., within the aforesaid boundaries; and he, the said William Wakefield, is to have and to hold the lands, islands, tenements, etc., as aforesaid, and the said William Wakefield, his executors and administrators, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns to, and for their own proper use, and as and for their own proper goods and chattels, from henceforth and for ever; and we, the said chiefs, as undesignated, hereby for ourselves, our families, tribes, and successors, for ever, do covenant, promises, and agree to and with the said William Wakefield in manner following—that is to say, that the said hereby bargained premises, and every part thereof, are, and so for ever shall be, remain, and continue unto the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, free and clear, and freely and absolutely acquired, discharged, and exempted from, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, and the heirs, administrators, and assigns to, and for their own proper use, and as and for their own proper goods and chattels, from henceforth and for ever; and we, the said chiefs, as undesignated, hereby for ourselves, our families, tribes, and successors, for ever, do covenant, promises, and agree to and with the said William Wakefield in manner following—that is to say, that the said hereby bargained premises, and every part thereof, are, and so for ever shall be, remain, and continue unto the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, their heirs, administrators, and assigns, free and clear, and freely and absolutely acquired, discharged, and exempted from, in trust for the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, and the heirs, administrators, and assigns to, and for their own proper use, and as and for their own proper goods and chattels, from henceforth and for ever; and we, the said chiefs, as undesignated, hereby for ourselves, our families, tribes, and successors, for ever, do covenant, promises, and agree to and with the said William Wakefield in manner following—that is to say, that the portion of land ceded by them, suitable and sufficient for the residence and proper maintenance of the said chiefs, their tribes and families, will be reserved by the said Governors, Directors, and Shareholders of the New Zealand Land Company, of London, and held in trust by them for the future benefit of the said chiefs, their families, tribes, and successors, for ever. In witness whereof, the said chiefs of the first part, and the said William Wakefield of the second part, have hereunto put their hands and seals, this 8th day of November, in the year of our Lord 1839.
Coat-of-Arms Shown by the Native of Whakapuka, in relinquishment of their claims to Land at Whakapuka (Nelson), Waimama, Moture, Motuki, Riwha, Taitapu (Massacre Bay), excepting their Past, Cultivations and Burial-places, to the New Zealand Company.

Kua homai ki a matou i te rua te kau nga wha o nga ra; a Akuaka i te tau kotahi mana waru rau nga teku; nga nga Ka Whakaritero o te Whakamamenga o Nui Tiren i Manuia, he mea utu mai e Waiora Wakepiora (William Wakefield) i te kai mahi o tua Whakamamenga o rua rua Fanauna (1800) he tino utanga he tino Whakamua, he wakamamutanga, rawatanga i to; matou papa katoa i o matou wahi katoa; i roto i o matou whakahaunui katoa, kua tahi tahi ki roto i te pukapuka kia whakaparira ki tenei nga; ara ko nga wahi katoa i Whakapua; i Whaima, i Te Moturea, i Motuki; i Riwha, i Te Taitapua (Massacre Bay), i Nui Tiren. Ko nga pa ia, ko nga Ngakina, ko nga Wahi Papu, ko nga Wahi rongoa anake, o te ki a matou, a ka whakapaia matou katoa i tenei o matou inga ki tahi pukapuka tahi whenua i mua ariki; o kia mai ki tahi ki nga sai Whakaritero o tenei Whakamamenga, o matou wahi katoa i roto i ana whenua katoa; ano nga wahi e whakamo mato a matou, ko nga wahi kua korero tia a mua.

Ko nga inga o e nga kaitihi i te tukungia i nga inga:

William Sparu,
Commissioner.

George Carko, Jnr.,
Protector of Aborigines.

Henry S. Briti,
Curtis of Nelson.

Dorri Sinclair,
Chief Police Magistrate and Govt. Representative.

A. McDonald,
Manager, Union Bank of Australia, Nelson.

[Translation.]

Pato tona this day, the 14th of August, 1864, by the Directors of the New Zealand Company at London, through William Wakefield, their principal Agent, the sum of £200 on final payment for the relinquishment of all our claims to the land, mentioned in the deed, to which this is affixed; that is to say, to all our land at Whakapua, Waima, Moture, Motuki, Riwha, and Ta Taitapu (Massacre Bay), in New Zealand, excepting our pani, cultivation, burial-places, and wahi rongoa. And we hereby agree to sign a deed to that effect, if called on to do so, to the Directors of the New Zealand Company. The only lands that remain to us are the places above-named.

[Here follow the signatures.]

No. 10.

'COPY OF DEED OF BILAND SHOWED BY THE NATURE OF WHAKAPUKA, in relinquishment of their claims to Land at Whakapua (Nelson), Waima, Moture, Riwha, Taitapu (Massacre Bay), excepting their Past, Cultivations, and Burial-places, to the New Zealand Company.'

Kua homai ki a matou i te rua te kau nga wha o nga ra; a Akuaka i te tau kotahi mana waru rau nga teku; nga nga Ka Whakaritero o te Whakamamenga o Nui Tiren i Manuia, he mea utu mai e Waiora Wakepiora (William Wakefield), o te kai mahi o tenei Whakamamenga o rua rua Fanauna (1800) he tino utanga he tino Whakamua, he wakamamutanga, rawatanga i to; matou papa katoa i o matou wahi katoa; i roto i o matou whakahaunui katoa, kua tahi tahi ki roto i te pukapuka kia whakaparira ki tenei nga; ara ko nga wahi katoa i Whakapua; i Whaima, i Te Moturea, i Motuki; i Riwha, i Te Taitapua (Massacre Bay), i Nui Tiren. Ko nga pa ia, ko nga Ngakina, ko nga Wahi Papu, ko nga Wahi rongoa anake, o te ki a matou, a ka whakapaia matou katoa i tenei o matou inga ki tahi pukapuka tahi whenua i mua ariki; o kia mai ki tahi ki nga sai Whakaritero o tenei Whakamamenga, o matou wahi katoa i roto i ana whenua, he tenei anu nga wahi e whakamo mato a matou, ko nga wahi kua korero tia a mua.

Ko nga inga o e nga kaitihi i te tukungia i nga inga:

William Sparu,
Commissioner.

Pharamara Te Kirore, tanu + tohu.

Maria Te Make, tanu + tohu.

[It is difficult to give a correct interpretation to the terms 'wahi rongoa,' as there is nothing to indicate the meaning that it is intended to convey.]
No. 11.

COPY OF DEED OF RELEASE SIGNED BY THE NGATIWA NATIVES, ON relinquishment of their claims to Land at Whakatia (Nelson), Waimea, Moutere, Riwha, Taitapu (Massacre Bay), excepting their Paa, Cultivations, and Burial-places, to the New Zealand Company.

Kua hangi kia maatou i te rua te kai mu ma wha o nga ra o Akahata o te tamako maana e waha i e whaka ma wia e nga Kai Whakaririro o te Whakamamenga o Nui Terei i Runanga he tana era uru mai e Wiremu Wakaepihi (William Wakefield) o te kai wahi o tana Whakamamenga, kotahi i te paa maun, he tino urunga, he tino whakaririro, he wakamuhetaanga tawatanga i te motau papakato, i o motau wahi kota i rito i o motau whenua kato, he tahiwhaka ki rito i te pukapuka, kua whakapipiri ki tenei, ara ko nga wahi katoa, i Whakatia, i Waimea, i To Mopara, i Motuara, i Siwha, i Te Taitapu (Massacre Bay), i Nui Terei, ko nga pa ia ko nga Ngakunga, ko nga Wahi Tapu, ko nga wahi rongoi anahe o toe ki a motau, a ka wakahaere motau ki tuku e motau o motau ingoa ki totahi pukapuka tuku whenua e tana ariki, mo e kia mai ki e tuia kia nga Kai Whakaririro o tana Whakamamenga o i matou wahi kota i rito i ana waho, hekai ano nga wahi e whaka mo matou, ko nga wahi kia kororero i motua.

Ko nga ingoa eke o nga kai titiro i te tutunga i nga ingoa.

William Spinks
Commissioner.

George Clarke, Jun.,
Protector of Aborigines.

Henry F. Butt,
Curate of Nelson.

Donald Sinclair,
Chief Police Magistrate and Govt. Representative.

A. McDonald,
Manager, Union Bank of Australia, Nelson.

Note.—The translation of the two last deeds is substantially the same as the first one.

No. 12.

Nelson, 15th August, 1844.

Ke rino mai i anu he maas uru mai o Te Karaka i tenei ngati i te rua te kai wahi o nga rahi o Akahata o te tamako maana e waha rau o whaka ma kai ma wha hea uru mo o nga wahi kia tahiwhaka ki rito i te pukapuka, kua wakapipiri te paa ingoa no te Whakamamenga o Nui Terei i Runanga, Kotahi te kua nga paun.

Witnesses—

William Spinks,
Commissioner.

Robert Thomas C. Yates,
Commissioner's Secretary.

Ngapiko, tone x tohu.

[TRANSLATION.]

Received by the hands of Mr. Clarke this day, for my claim to the land mentioned in the aforesaid deed, the sum of £10 from the New Zealand Company.

Ngapiko, tone x tohu.

No. 13.

COPY OF CROWN GRANT OF NELSON TO THE NEW ZEALAND COMPANY.

Entered in E. No. 6, vol. 3, 26th July, 1845.

E. R. Southward,
Secretary to Land Commission (the Surveyor-General).

Entered on Record this 20th day of July, 1845.

A. No. 26.}

Andrew Sinclair,
Colonial Secretary and Registrar.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Defender of the Faith, and fortis.

TO ALL TO WHOM THESE PRESENTS SHALL COME, SEEING:

WHEREAS one of our Commissioners appointed to hear, examine, and report upon claims to land obtained by purchase from the aboriginal inhabitants of the Colony of New Zealand, has reported that the New Zealand Company is entitled to receive a grant of 161,000 acres of land, particularly mentioned and described in Claim No. 876a, and in Claim No. 374a, and in a report by Mr. Commissioner Spink on the New Zealand Company's purchase of land at and near Nelson:
New Zealand, that we, of our special grace, for us, our heirs and successors, do hereby grant unto the said New Zealand Company all that allotment or parcel of land in our said territory, said to contain 161,000 acres more or less, situate as or near Wakanui, or Waima, or Montoaro, or Motukuka, or Nelson, of which the descriptions and boundaries are as follows:—

161,000 acres of land, situate, lying, and being in the several districts of the Settlement of Nelson, in the southern division of New Zealand, which said districts are divided as follows, that is to say, Wakanui District, 11,000 acres; Waima District, 98,000 acres; Montoaro District, 15,000 acres; Motukuka District, 20,000 acres, (partly surveyed, the remaining quantity required to be selected from the portions of the land coloured red in the plan hereto indorsed); and Massacre Bay District, 45,000 acres (partly surveyed, the remaining quantity required to be selected from the portions of the land coloured red on the plan hereto indorsed); which said lands are more particularly described and delineated upon the plan hereto indorsed: Saving and always excepted as follows:

All the past, or burial-places, and grounds actually in cultivation by the Natives, situated within any of the above described lands hereby granted to the New Zealand Company as aforesaid; the limits of the past to be the ground fenced in around the Natives houses or huts, including the ground in cultivation or occupation around the adjoining Natives houses or huts without the fence, and the cultivations being those tracks of land which are now used by the Natives for vegetable productions, or which have been so used by any aboriginal natives of New Zealand since the establishment of the Colony; and also excepting all the Natives reserves marked upon the plan hereto indorsed, and coloured green—the entire quantity of land so reserved for the Natives being one-twentieth of the 161,000 acres hereby granted to the said Company; and also excepting any portions of land within any of the lands heretofore described, to which private claimants or any private claimant may have already proved or may hereafter prove that they, he, or any of them had a valid claim, prior to the purchase of the New Zealand Company.

And also excepting and reserving all those pieces or parcels of land which have been set apart as Government reserves for public purposes, with all the rights and appurtenances whatsoever thereto belonging, to hold unto the said New Zealand Company for ever.

In testimony whereof we have caused this our grant to be sealed with the Seal of our said territory.

Witness our trusty and well-beloved Robert Fitzroy, Governor and Commander-in-Chief of our said territory and its dependencies, at Government House, Auckland, in New Zealand, aforesaid, this 29th day of July, in the ninth year of our reign, and in the year of our Lord 1845.

Robert Fitzroy.

DRAFT OF A LETTER FROM THE RIGHT HON. W. E. GLADSTONE TO LIEUTENANT-GOVERNOR GREY.

DOWNTON STREET, 21st March, 1848.

I transmit to you herewith copies of correspondence with the New Zealand Company, on the subject of a report which they have received from their Principal Agent at Wellington, accompanied by copies of two deeds of grants executed by Governor Fitzroy in favour of the Company—the one for 71,900 acres of land in the settlement of Wellington, and the other for 151,000 acres in Nelson (of which the 98,000 acres at Waima form no part), but subject to certain conditions and exceptions, which form the ground of representations from the Company.

I have to request that you will inquire and ascertain whether the reports which have been made by the Company's Agent afford such a representation of the whole state of the case as to leave you no cause either to confirm or qualify any part of it; and if you should find that representation complete and accurate, you will take such measures for the relief of the Company as it may be in your power to adopt.

I have, &c.,

W. E. GLADSTONE.

LIEUTENANT-GOVERNOR GREY, NEW ZEALAND.

DRAFT OF A LETTER FROM THE SECRETARY OF STATE FOR THE COLONIES.

NEW ZEALAND HOUSE, 28th February, 1846.

I am instructed by the Directors of the New Zealand Company to transmit for your information the accompanying copy of a despatch which has just been received from the Company's Principal Agent, Colonel W. Medley, and to request your particular attention to the two documents of which it consists, copies, and which purport to be deeds of grant executed by Governor Fitzroy in favour of the New Zealand Company—the one for 71,900 acres in the settlement of Wellington, and the other for 151,000 acres in Nelson (of which, however, the 98,000 acres at Waima form no part), but both subject to certain reservations and exceptions, as under mentioned.

The Wellington deed reserves "all the past, burial-places, and grounds actually in cultivation by the Natives," the limits of the past being defined to be the ground fenced in, including the adjoining ground in cultivation, &c.; and the cultivations being those tracks of lands which are now used by the Natives for vegetable productions, or which have been so used by any aboriginal natives of New Zealand since the establishment of the Colony," also, the Native reserves, comprising forty-one country sections of 100 acres each, and 110 town acres, together with four portions of land granted to private claimants, the extent of which is not stated, except in one instance, an acre and a half; and all lands set apart as Government reserves for public purposes.
In the Nelson deed, the reservations are of precisely the same character, and worded in the same manner, with the exception only that the Native reserves are defined to be one-tenth of the 151,000 acres granted, and that in lieu of specific grants to particular individuals, a clause is inserted, "Excepting any portions of land within any of the lands hereinafter described, to which private claimants have a legal right, such portions must be at the option of the proprietors, that they say, or or any of them had a valid claim prior to the purchase of the New Zealand Company."

With regard to the pas and burial-places, the amount of which is not known, the only remark which the Directors desire to offer is, that the extent of the Native reserves was fixed by the Company in a belief that the whole of the remainder was the Company's property; and that in excepting from the Nelson deed, on account of such reserves, one-tenth of the land granted, Governor Fitzroy appears to have overestimated the fact; and that in the published prospectus for that settlement (dated 15th February, 1841), it was stated that the Native reserves would be "equal to one-tenth of the lands offered for sale"—that is, to one-twelfth of the quantity comprised in the entire scheme.

But the other clauses relating to private purchasers and to Native cultivations are of greater importance.

The reservation of the spots in the town of Wellington claimed by private purchasers is directly at variance with the public pledge contained in the letter addressed to Colonel Wakefield by the late Governor Hobson on the 8th of September, 1841, which is printed at page 62 of the Appendix to the Report of the Parliamentary Committee of 1844, and of which I do myself the honor to enclose a copy. Although of comparatively small extent, these reservations comprise some of the most valuable portions of the shore of the harbour of Port Nicholson, and portions upon which, in faith of Captain Hobson's pledge, buildings have been erected and other improvements made, as the Directors are informed, to the extent of some thousands of pounds. And the issue of deeds of grant, which is understood to have been arranged between the Directors and the proprietors of the Town, is removing the security of a regrant out of the power of the Crown, has complicated the embarrassment in a tenfold degree.

The quantity of land comprised within the Native cultivation, as deduced from those instruments, cannot be stated with accuracy. In a private letter which the Directors have seen, written by a person wholly unconnected with the Company, and of undoubted authority, it is asserted that these reservations will extend from the grant at least one-sixth, and not improbably one-fourth, of the whole of that part of the town of Wellington on which buildings have been erected, the purchase of these spots by the Company (so far as the Directors are aware, and as they believe) being inferred undisputed by the Natives, and confirmed by the award of the Commissioners. On this point and in Future, the reservations in question will comprise spots from which the Natives have ejected the settlers by force, planting potatoes in the lands cleared by the latter, and for the repurchase of which an additional sum was recently paid by Colonel Wakefield, under the personal sanction of Governor Fitzroy. The circumstances are referred to in pages 685 to 693 of the Committee's Report of 1844; and in pages 9 and 10 of the Parliamentary Paper, No. 512—1 of 1845.

Of the amount of individual loss which will thus be occasioned, the encouragement which will be afforded to similar aggressions, and the degree to which a disconcerted desire of reacquisition will be awakened in the Native claimant, and a determination to defeat that desire (too probably by force) on the part of the European owner; of the litigation or the violence which will ensue, and of the animosity which will be perpetuated between the races by this unholy, arbitrary, and, for ought that appears, unnecessary clause, it is impossible to make any calculation.

The reservation in the Nelson deed of all private claims which have been or may be hereafter proved, without limitation of time, renders the land altogether unsaleable, and the deed, therefore, in the apprehension of the Directors, altogether of no effect.

On these grounds, the Directors earnestly hope that these measures of Governor Fitzroy's will not obtain your sanction; but that instructions will be given to Governor Grey for remedying the injury, so far as a remedy is yet practicable, by the execution of new grants, freed from the objectionable nature of the Constitution.

They will esteem as a favour, also, their being furnished with copies of the awards or reports of Mr. Commissioner Spain, or other documents upon which the deeds in question have been founded.

I have, etc.,

The Right Hon. the Secretary of State for the Colonies.

T. C. HARINGTON.

No. 15.

Despatch from Lord Stanley to Lieutenant-Governor Grey.

Sirs,—With reference to the letter of 7th August last from Mr. Hope to Lord Ingoldsby, enclosed in my despatch of 16th August, No. 29, I have now to inform you that Major McClymont, of the 48th Regiment, having been appointed Deputy Quartermaster-General to the troops in the Australian Colonies, will proceed immediately to Sydney, and from thence to New Zealand, for the purpose of undertaking the duty of giving his best assistance to the Company in their selection of land, to aid in surveying the exterior boundaries of such selections, and to judge of the reasonableness of the terms of any purchase which the Company may make from the Natives, with reference to the Company's right to reimbursement in land in respect of moneys paid for such purchase.

Her Majesty's Government, you are aware, are most anxious that the selection of lands by the New Zealand Company should be made within as short a period as circumstances will admit; and I conjecture that Major McClymont's arrival will make the correspondence which I enclosed be will be made aware generally of the nature and object of the civil affairs which will be required of him in New Zealand.
In addition to this, you will of course give him such particular instructions as you may consider necessary, for carrying out the general objects specified in these extracts.

The mode in which and the extent to which the New Zealand Company will avail themselves of the aid of Major McCleverty in the selection of land, must depend upon their views, either as expressed by the Company itself, alone, or through the Principal Agent in the Colony. Having ascertained this, you will direct Major McCleverty to take such steps as may appear most advisable for the purpose of rendering them the assistance they may desire.

A copy of this Despatch will be communicated to Major McCleverty.

Yours, &c.,

Lieutenant-Governor Grey, New Zealand.

SYDNEY.

No. 17.

Despatch from Governor Grey to the Right Hon. W. E. Gladstone.

Sir,—

Government House, Auckland, 14th September, 1846.

In reply to your Despatch No. 14, of the 21st March last, directing me to afford such necessary relief to the New Zealand Company as it might be in my power to adopt, in reference to certain complaints made in a letter addressed to you by the Secretary of the Company on the 26th February last, regarding various exceptions which had been made in deeds of grant offered to them for their lands in the Port Nicholson and Nelson districts, I beg to state that, long previously to the receipt of your Despatch, the same complaints had been addressed to me by the Agent of the Company in the Colony, and that on my consulting the law officers of the Crown on the subject, they stated it as their opinion that the exceptions in these grants objected to by the Company were such as to afford them reasonable ground of complaint.

The enclosed copy of the instructions I have issued to Lieutenant-Colonel McCleverty will show the manner in which I have proposed to relieve the Company from the difficulties arising from the losses which have been made in their grants of all Native pas and cultivations; and in reference to their complaint of the reservation of certain spots in the town of Wellington to private purchasers, to whom deeds of grant have actually been made, I have the honor to report that, acting under the advice of the law officers of the Crown, I addressed a warrant to the Attorney-General, directing that proper means should be taken for applying to the local courts to annul the grants which have been so made, it being the opinion of the law officers of the Crown, that when the Crown had been recommended to make these grants it had not been advised of all the circumstances of the case, and had injured the rights of other parties.

I have, &c.,

G. Grey.

Enclosure in No. 17.

Memorandum by Sir G. Grey.

14th September, 1846.

The question of the cultivated lands reserved to the Natives of Port Nicholson and its vicinity is one of some difficulty.

The Government were pledged by an arrangement concluded with the Natives by Governor Fitzroy to reserve to them all the pas, burial-places, and grounds actually in cultivation by the Natives; the limits of the pas to be the grounds fenced in around the Natives houses or huts, without the fence, and the cultivations being those, trash of land which are now used by the Natives for vegetable productions, or which had been so used by any aboriginal natives of New Zealand since the establishment of the Colony.

This description was very vague, and as the lands intended to be included in it were not at that time defined, it has now become almost impossible to tell whether many portions of land, now in cultivation by the Natives, or which were formerly so, have been occupied by the Natives since the date of this arrangement with Governor Fitzroy, in which case they will of course have title to them, or whether, though now retaining marks of having been under cultivation, they had ceased to be cultivated before the formation of the Colony, in which case also they would be excluded from the class of lands contemplated by Governor Fitzroy. In short, it has become almost impossible to tell what lands were included in this agreement.

The Government have made an attempt to remedy this evil by directing that a survey should be made by Government officers of all portions of land which they regarded as being secured to the Natives by Governor Fitzroy's arrangement. This survey is now probably very nearly completed; the amount of land included in it is estimated at about 300 acres, and in this quantity I believe, included all lands claimed by the Natives. These lands consist principally of cultivated grounds scattered in small patches of a few acres throughout sections owned by European proprietors, whose farms are in many cases entirely valuable and which are dotted throughout them. As might be anticipated, from the looseness of the original agreements, and from the circumstances above stated, the settlers, in many instances, contend that the lands regarded by the Government surveys as included in Governor Fitzroy's arrangement, ought to be excluded from it.

The manner in which the Native reserves have been administered in Port Nicholson has somewhat contributed to increase these evils. I will point out presently, in general terms, the evils which I believe to have resulted from the mode in which lands were set aside for the Natives; but in addition to these general evils, the following one, peculiar to Port Nicholson, will be found to exist.
The Company's lands in that district were to a great extent sold to absentee proprietors, and to the present day are only to a very limited extent occupied by Europeans. At the first settlement of Port Nicholson by Europeans, the Natives continued as before to cultivate exactly where, and in such quantities exactly as, they pleased. Those persons who were charged with the administration of the Native reserves were probably, from this cause, led to believe that, as the Natives freely occupied and cultivated portions of the land, they were in fact entitled to the same possession for the future.

In this view they resolved to appropriate them for the purpose of raising a future revenue for the Natives, and they let some of the best of the reserves on very long leases to Europeans, who forthwith began to clear and make substantial improvements on them, and in some instances stocked them. Hence, when, from the spread of European population over the country, the settlers began to require lands which they had purchased, and which were occupied by Natives, the Government found it impossible to put them into possession of the lands without which they had no means of subsistence, unless they got rid of the tenants to whom they had been leased, by paying them enormous sums as compensation, and the Natives, having no other lands to go upon, staunchly retained possession of the spots they had occupied. This state of things produced the most serious evils, led to constant and violent disputes between the Europeans and Natives, prevented the progress of the settlement, and afforded a constant ground of dispute between two races of people who could most materially assist each other, and who have positively no other ground whatever of jealousy or difference between them.

The mode by which I have hitherto endeavoured to get rid of this difficulty has been as follows—To ascertain exactly what lands the Natives are entitled to. If they are in possession of lands the best and most fertile parts of the country, and have no title to them, I have purchased, at the expense of the Government, lands for them in spots selected by themselves, and of such extent and quality as render them good and useful citizens, by giving them the means and opportunity of subsistence, and the property of the lands upon which these lands to them, I required them to surrender to Europeans the properties to which they were justly entitled. I proceeded in the same manner, in dealing with the question of the other Native cultivations required by Europeans, to inquire, in all instances, whether the Natives had sufficient lands for their wants, exclusive of those required by the Europeans. If they had, I would encourage them to sell to the Europeans at a moderate price those portions of their cultivations which interfered with the operations of the settler, and I believe the Natives would in almost every instance gladly accept of an arrangement of the kind. If the Natives have not sufficient lands for their wants, exclusive of that portion of their cultivations which may be required by the settler, I would recommend that the settler or the Company should be required to pay to the Government, as General McCleverty may think proper, and that he should thereafter possess the land in the same way as the Europeans. In either event, I am convinced that it is in the interest of the Natives, and it is the only way to secure to them the immediate and cheerful acquiescence in the exchange, but with a view to securing, together with their comfort, their attachment to the form of government under which they live.

Such an arrangement can be only carried out by an immediate expenditure for the purchase of the requisite lands on the part of the Government. If such an expenditure were never to be refunded, I should feel justified in incurring it. A settlement of this vexatious question, by restoring tranquillity and confidence of the Natives, will save a large military and naval expenditure, and will extensively promote internal production and commerce; but the fact is, that besides producing these advantages, the expense incurred may very soon be refunded to the Government from the sale of some of the Native reserves. It may be said, in fact, that the Native reserves are at present in a great measure unmarketable to the Natives proper, either from their being leased to Europeans, from their ineligible position, or from the soil not being adapted to the mode of husbandry pursued by the Europeans. The Government, of course, has no claim to the natives reserves, but only to the occupation of them in possession of lands adapted to their wants; in other words, to exchange certain lands for reserves, which will consequently not be needed for the future wants of the Native population, and will therefore ultimately form a source from whence the Government may reimburse itself for the expenditure at present incurred.

I have only to add, that there will be, in the settlement of this difficult question, upon judicious management, it would be better, in the first instance, only to deal with those cases in which lands under cultivation by Natives, or claimed by them under Governor Fitzroy's agreement, are required by European settlers. By thus dealing with individual cases upon their own merits, and only taking cases from time to time as the Europeans require the land, there will be much less probability of any combination amongst the Natives or exorbitant demands from them; but what should at once be settled, is, what lands are included in Governor Fitzroy's arrangement? These should at once be defined and surveyed; and the question having been thus once arranged, no fresh claim should ever afterwards be entertained.

With regard to the purchase of the Wairoa district from the Natives, it appears unnecessary to make any lengthened observations. Colonel McCleverty will soon make himself master of more information on this subject than is possessed by any other person. It may be as great as any generally that a very great benefit will be conferred upon the Colony by the prompt and immediate settlement of this question. It will be desirable, before entering into any negotiation upon the subject, to ascertain the exact number of Natives, and their present condition, the current state of the industry and cultivation, and whether any portion of the Ngatiata Tribe are likely to remove from Porirua to that district, and then take the necessary precautions for securing to the Native inhabitants blocks of land in contained localities of sufficient extent to provide for the wants of the probable Native population.

I think it proper to observe generally, that the system of Native reserves as laid down by the New Zealand Company, although an admirable means of providing for future wants of the aborigines, is in some respects insufficient for their present wants, and ill adapted for their existing notions.
It will be found necessary in all instances to secure to Natives, in addition to any reserves made for them by the New Zealand Company, their cultivations, as well as convenient blocks of land for the purpose of future cultivations, in such localities as they may select themselves.

Many persons, if their reserves may be selected in such situations. In other instances, Natives belonging to a weaker tribe are afraid to venture upon lands belonging to others, if their reserves may be selected there; and they naturally generally feel, under all circumstances, the greatest repugnance to quit their villages and cultivated lands, many of which have been cleared at a large expense of time and labour. Indeed, I am satisfied that it is in many instances impossible to induce them to do this, except at considerable sacrifice of life. I therefore earnestly recommend Colonel McCleverty to make no single instance, to sanction the purchase of any large district of country without seeing that the cultivated grounds and portions of land in the vicinity of them for future cultivations are reserved for the Natives. The judicious exercise of his discretion on this subject will do more towards preserving the future tranquillity of the country than any other preventative measure with which I am acquainted.

In reference to the objection raised by the New Zealand Company to the grant of land which has been offered to them for the Nelson district, viz., that it excepts any portions of land within any of the lands described in the grant to which private claimants or any private claimant may have already proved, or may hereafter prove, that they or any of them had a valid claim prior to the purchase of the New Zealand Company, I think that Colonel McCleverty should ascertain what claims have already been proved to such portions of those lands. Those claims should be allowed or disallowed, and the exceptions complained of should then be limited to such claims as may upon inquiry be found to be valid, and just: that the inquiry should strictly be confined to such claims as have already been proved. I do not think that claims which might now be made, after a large body of European settlers have been for so many years in possession of the land, should be allowed to operate for their detriment. If such claimants should show that they are entitled to the consideration of the Government, I think that compensation should be given to them in the form of grants to land in other localities, or in such other form as might be found most convenient.

Another general observation which I would make is, that in all instances where it is arranged that certain portions of land are to be assigned to particular bodies of Natives, Colonel McCleverty should see that they are furnished with accurate plans and descriptions of the boundaries of these tracts of land, and that when these are handed over to them they should sign a receipt stating that their claims to land have all been satisfied: even in cases of disputed boundaries between different tribes of Natives, it would be a wise measure of precaution to recommend the Natives to allow the Government to settle disputed boundaries, and to issue to the claimants confirmatory grants to their lands, so that no dispute regarding their title might ever hereafter arise. I have found the Natives generally desirous of receiving such descriptive grants from the Government; and as all these grants could be registered in the Survey Office, the Native population might thus gradually be brought in a great measure to register their claims to land, and to feel that the holding a positive grant from the Crown was the best guarantee and title which they could obtain. The Government would be enabled to ascertain the portions of country to which the Natives had valid claims, and those portions which might be regarded as waste lands belonging to the Crown.

I have only further to add, that Colonel McCleverty will find that about seventy claims to land in the Middle Island have been made and gazetted, but have never yet been investigated. It is a matter of great importance that these claims should be heard and reported on with as little delay as possible; and if no objection should exist to Colonel McCleverty hearing and reporting on all of these claims, he will render a great service to the Government in so doing. If, however, he should see any objection to his adopting this course, and will report the same to me, I will lose no time in dispatching the Surveyor-General to the South, for the purpose of hearing such claims as Colonel McCleverty may not think proper to dispose of.

G. Grum.
## PAPERS RELATIVE TO THE NANO-BORDELAISE CLAIM TO LAND ON BANKS PENINSULA, SOUTHERN ISLAND.

### Schedule

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 26, 1842</td>
<td>The Earl of Aberdeen</td>
<td>Lord Cowley</td>
<td>Transmitting copy of a Despatch from the Governor of New Zealand to the French settlement on Banks Peninsula.</td>
</tr>
<tr>
<td>4</td>
<td>July 7, 1845</td>
<td>Lord Stanley</td>
<td>Lieut-Governor Grey</td>
<td>Relative to the claim of the Nanto-Bordealaise Company.</td>
</tr>
<tr>
<td>5</td>
<td>Nov. 30, 1846</td>
<td>Earl Grey</td>
<td>Governor Grey</td>
<td>Transmitting a copy of a letter from the New Zealand Company respecting the French claim at Aberdeen.</td>
</tr>
<tr>
<td>6</td>
<td>Nov. 30, 1846</td>
<td>T. C. Harrington</td>
<td>Earl Grey</td>
<td>Acknowledging letter reviewing the position of the French claim.</td>
</tr>
<tr>
<td>7</td>
<td>Nov. 30, 1846</td>
<td>R. Hawes</td>
<td>T. C. Harrington</td>
<td>Requesting that steps should be taken to expedite the settlement of the French claim.</td>
</tr>
<tr>
<td>8</td>
<td>Dec. 19, 1846</td>
<td>Earl Grey</td>
<td>Governor Grey</td>
<td>Informing him that the Governor of New Zealand had been instructed to use his efforts to acquire and appropriate 20,000 acres in satisfaction of the Nanto-Bordealaise claim.</td>
</tr>
<tr>
<td>9</td>
<td>Dec. 19, 1846</td>
<td>R. Hawes</td>
<td>M. Maltrines</td>
<td>Transmitting a copy of a letter from T. C. Harrington, announcing the final correspondence to the New Zealand Company of the Nanto-Bordealaise claim.</td>
</tr>
<tr>
<td>10</td>
<td>Oct. 31, 1846</td>
<td>Earl Grey</td>
<td>Governor Grey</td>
<td>Transmitting a letter from T. C. Harrington, announcing the final correspondence to the New Zealand Company of the Nanto-Bordealaise claim.</td>
</tr>
<tr>
<td>11</td>
<td>Oct. 31, 1846</td>
<td>T. C. Harrington</td>
<td>Earl Grey</td>
<td>Announcing the final settlement of the French claim on Banks Peninsula.</td>
</tr>
</tbody>
</table>

### No. 1.

**Despatch from the Earl of Aberdeen to Lord Cowley.**

**Foreign Office, 29th July, 1842.**

With reference to your Despatch (No. 109) of the 19th ultimo, I transmit to you a copy of a Despatch from the Governor of New Zealand to the Secretary of State for the Colonies, containing a Report on the French Settlement on Banks Peninsula in the Southern Island, and stating the arrangement by which he proposes to effect the removal of the settlers from those islands. I also enclose to you a copy of a Report of the Colonial Land and Emigration Commissioners upon the contents of Governor Hobson’s Despatch above mentioned; and a copy of the Address of Governor Hobson to the Legislative Council of New Zealand, with reference to the general settlement of claims to land in those islands.

Your Excellency will communicate this correspondence to the French Minister for Foreign Affairs, and you will state to him that Her Majesty’s Government propose to deal with the Company connected with the French settlers in New Zealand on the same principles as if they had been a British Company, and to invite them as a preliminary step to prove the extent of their claims, which, when proved, will be allowed in the Northern Island, and that no difficulties will be thrown in the way of their naturalization.

I also enclose to your Excellency, for your information, copies of a note from the Baron de Bourgey, of 17th February, 1841, and of the answer of my predecessor, having reference to the subject to which the Despatch relates.

I have, &c.,

[Signature]

His Excellency the Lord Cowley.

### No. 2.

**Despatch from Acting-Governor Shortland to Lord Stanley.**

**Government House, Auckland, 16th November, 1842.**

I do myself the honor to forward to your Lordship the report of Colonial Godfrey, the Land Commissioner, to whom I intrusted the investigation of the titles to land in that part of New Minister, on the Nanto-Bordealaise claim.

I respectfully request your Lordship’s instructions on this case, only remarking that the Peninsula itself is a most valuable locality, and that Akaroa is one of the most important harbours and stations in the Island, if not absolutely the most important.

I have, &c.,

[Signature]

Lord Stanley.

Willoughby Shortland.
Enclosure in No. 2.

Report of the Commissioners appointed to examine and report upon Claims to Grants of Land in New Zealand.


Claim No. —
Claimant's name and address ... La Compagnie Nanto-Bordelais.
Native names from whom purchased or obtained ... Tuanau, &c.
Date of alleged purchase ... 2nd August 1838, and August 1840.

Report — Nanto-Bordelais, Claimants.

The Commissioners have the honor to report, for the information of His Excellency the Office Administering the Government, that from the accompanying evidence taken in this claim to 'All Banks Peninsula, in the Middle Island of New Zealand, with the exception of the Bay of Hikaraki, Oteha on the South, and Sandy Beach, north of Port Cooper, on the North, the boundaries,' the supposed area is 80,000 acres.

It appears that no deed or memorandum to Captain Langlois, through whom the claimants derive, has been proved to have been executed by the Natives in the year 1838, nor has any Native evidence been produced of the contract for this purchase having been made in 1838; but George Fleurot, a European, deposes to his belief that an agreement was then made by Captain Langlois for the purchase of some quantity of land from the Natives.

No deed has been exhibited to the Court in proof of the transfer made by Captain Langlois to the Company, but such a transfer of his interest may be assumed from the evidence of Mons. S. de Beligny.

The Native chiefs, Tuia, Tuanau, Tia'a, Patore Nga Ma'a, and others, have admitted the sale to Captain Langlois in August 1840, of the following portions of land in Banks Peninsula:

In the Port of Akaroa.

From Point Tia'a to a stream called Kamiliara, and extending backwards to the top of the adjacent mountains: the probable contents about 400 acres.

At Pigeon Bay, Port Levy, and Port Cooper.

Portions called Pohue, Kokokangatanga, and Kehihope; contents unknown, but the boundaries of these tracts can be pointed out by the Natives.

The Natives state that they sold these portions of land to Captain Langlois, upon his second visit to the Peninsula, when accompanied by the immigrants, which appears from the evidence of Messrs. J. M. Cobert, and George Fleurot, to have been at Pigeon Bay on the 9th August, 1840, and at Akaroa upon the 16th August, 1840.

They admit to have received, as payment for these lands, the goods, &c., stated in the deed of sale, amounting in value to £236 sterling.

This payment is proved to have been made a few days after the above-mentioned dates by the evidence of J. M. Cobert and G. Fleurot, the latter of whom deposes also to having seen Captain Langlois give some clothing to a Native named Hungry, and others, at Pigeon Bay, in the year 1838.

The Natives have likewise declared that they contracted, in August, 1840, to sell their interests in large tracts of land in Banks Peninsula, to Captain Langlois, for a further consideration of cattle and goods promised to them by him, but which they have not received, and they expressed their readiness still to dispose of any lands not required for themselves.

It has been admitted by the same Natives, that a chief named Taiaroa possesses a common right with them in portions of Banks Peninsula.

Tupe Wokari, a Native chief, opposes this claim on the part of himself and the chiefs Faruaki, Taiaroa, and Kocahe, on the ground that they did not consent to the sale, or receive any payment; at the same time, he states their willingness to alienate their rights for a consideration.

Statements to the following effect have been exhibited to the Court by Mons. S. de Beligny, the agent of the claimants:

1. Setting forth the claimants' engagement with sixty-three French emigrants.
2. The clearing and cultivation of 1074½ acres by the said persons.
3. The expenditure by the claimants in the transport and maintenance of these emigrants sent out by them have been satisfactorily performed, and the Court has also been satisfied of a considerable outlay in making roads, bridges, roads, &c., on the said estates.

This claim having been referred for special examination by His Excellency the Office Administering the Government, and the copy of a letter from the Right Honourable the Earl of Aberdeen, Her Majesty's Principal Secretary of State for Foreign Affairs, dated 28th July, 1842, having been exhibited to the Court, in which it is declared that Her Majesty's Government purpose that the claim should be dealt with similarly to those of a British Company; the Commissioners do not adjudicate upon it, according to the practice hitherto adopted towards individual settlers. Those who have made or completed their purchases of land under Her Majesty's Proclamation issued upon the 14th January, 1840, by His Excellency Sir George Gipps, forbidding the occupation of lands from the Natives of New Zealand after that date; and consequently, in the opinion of the Commissioners, rendering the completion of all such contracts null and void. But considering the peculiar circumstances of the case, the Commissioners, without offering a decided or specific recommendation upon it, have confined themselves to a recapitulation of all the evidence they could obtain relating to it.

Dated at Wellington, the 21st day of October, 1843.

Edward L. Godfrey,
M. Richmond.
DESPATCH from Lord Stanley to Lieutenant-Governor Grey.

No. 3.

Sir,—

I have to address you upon the claim of the French or Nauto-Nordeline Company to a tract of land on Banks Peninsula, on the east coast of the Middle Island, and to transmit in reference to their title certain papers described in the accompanying Schedule.

It is necessary that I should state to you, for your information and guidance, what has occurred here on this subject since I received Mr. Shortland's Despatch of the 15th November, 1846.

Monsieur Maillière, a gentleman deputed by the Company to communicate with Her Majesty's Government, arrived in England in the early part of last year, to make arrangements with a view to the settlement of the claim and the completion of the Company's title.

I directed the Colonial Land and Emigration Commissioners to place themselves in communication with this gentleman, and they reported to me that he had established their satisfaction as to the expediency by the Company of £21,665. I enclose their reports in reference to this part of the case.

I also enclose a letter which, with reference to the reports of the Commissioners, I directed my Under Secretary to address to Monsieur Mailhère, and in which I intimated the course I was prepared to adopt respecting the settlement of this claim.

I am further to state that, in consequence of the Commons' resolution requesting the Government to interfere with the contract which I then expressed my intention to pursue, I alluded to the arrival in this country of Lieutenant-Colonel Godfrey, the Commissioner who investigated the claim in the Colony. I have observed, that although the report of the Land Claims Commissioners is signed by Major Richmond as well as Colonel Godfrey, still that latter only was present when the evidence of the Natives was taken respecting the purchase made by Monsieur Langlois. I therefore considered it would be unfair towards the claimants to expose them to the delay and uncertainty that would attend a fresh investigation of the claim in the Colony. Considering the circumstances and the political decision might be arrived at by referring to Colonel Godfrey certain documents recently submitted by Monsieur Maillière, I directed them to be forwarded to that officer, requesting him to furnish me at his earliest convenience with a supplementary report upon the whole case. This report I have received, which, together with the letter to Colonel Godfrey from my Under Secretary, I herewith transmit; and I am now prepared, after reviewing the principal facts of the case, to issue to you my instructions respecting its settlement.

It appears that the investigation of this claim in the Colony took place before Lieutenant-Colonel Godfrey arrived, and that, attaching less importance to the deeds than to the evidence of the Natives themselves, he is of opinion that a purchase was made from the Natives by Monsieur Langlois of a certain quantity of land in Banks Peninsula, but that its actual extent is not known with sufficient accuracy to enable you to issue, under the Seal of the Colony, a grant to the land, and that it will therefore be necessary for an officer to proceed to Akaroa for the purpose of obtaining a more correct description of it; that Monsieur Langlois has been shown to have conveyed his interest in the land to the Nauto-Nordeline Company, of which he is himself a member; that powers of attorney from the members of the Company (Monsieur Langlois included) have been exhibited by Monsieur Mailhère, authorising him to act on their behalf in any communications with Her Majesty's Government; that this gentleman has proved to the satisfaction of the Colonial Land and Emigration Commissioners an expenditure which, at four acres to every pound sterling, would represent more than the whole quantity alleged to be the property of the Company, in the claim they submitted to the investigation of the Land Claims Commissioners in the Colony; and that the supposed contents of the claim are 30,000 acres.

Such, then, being a summary of the present state of this case, I have to issue to you the following instructions, in order to bring it to a speedy and final conclusion.

You will instruct Mr. Edward Shortland (or, if his services be not available, some other officer) to proceed to Akaroa with as little delay as possible, for the purpose of ascertaining the amount of the Company's claim, and effecting an arrangement with the Natives for the Company's quiet possession of the land they have purchased. You will issue to him instructions similar to those given to Mr. Spain respecting the compensation to be paid by the New Zealand Company to the Natives of Port Nicholson, to be given to Captain Fitzroy's Despatch and its enclosure, referred to in the margin.

The quantity of land of which it is the intention of Her Majesty's Government to authorize the grant to the Company of a confirmatory title is limited to 30,000 acres. You will waive on behalf of Her Majesty the right of pre-emption over the extent of land remaining to make up 30,000 acres, after deducting the quantity of which it has been reported the Natives have admitted the sale.

As soon as you receive from Mr. Shortland his report describing the land with sufficient accuracy to be inserted in a Crown Grant, you will direct that instrument to be prepared in favour of the Nauto-Nordeline Company, to be delivered to the person appointed to receive it by Monsieur Mailhère, with whom I will communicate, and in a future Despatch intimate to you the name of the party he has nominated for that purpose.

In conclusion, I have to draw your attention to Colonel Godfrey's observation in favour of Mr. Rhodes's claim, which I observe does not fall within the rules so as to entitle the claimant to a confirmatory grant, yet appears to deserve favourable consideration; and I have therefore to instruct you to give due weight to Colonel Godfrey's representation.

I have, &c.,

Governor, New Zealand.

STAFFETT.
No. 4.

Despatch from Earl Grey to Governor Grey.

Downing Street, 30th November, 1848.

SIR,—

Referring to my Despatch No. 69, of the 17th August last, in which I requested you to report any steps which might have been taken with the view of assigning to the Nanto-Bordelais Company a tract of 30,000 acres, which they are to have in Banks Peninsula, I have the honor to transmit to you the enclosed copy of a letter from the New Zealand Company, and of the reply which I have caused to be returned to them respecting the present position of the French Company's claims.

I should not think you will quite agree with me in my course of endeavouring to bring this matter to an early conclusion. You will perceive by the enclosed, that after the full consideration which the case underwent at a time when the interests of the Nanto-Bordelais Company were only represented in this country by a gentleman whom they had fully empowered to act on their behalf, and after the result, by which it was mutually agreed that the grant of a tract of 30,000 acres would liberally meet their claims, I think that the Government could not be called upon to entertain for a moment any pretension to receive a larger quantity of land. On the contrary, I have to instruct you that the question of quantity cannot be reopened. It only remains therefore to select, as soon as may be possible, a tract containing in one block 30,000 acres, to which it may be in the power of the Government to grant a title to the Nanto-Bordelais Company. It will be within your recollection that M. Belligny was in 1845 named as the agent for attending to their interests on the spot in settling the business. But in the event of his being absent, or for any other reason unable to perform his part in the transaction, I have to authorize you, unless there should exist any objection on the spot of which I am unaware, to proceed to make a selection of the tract for the Company, on the basis of the suggestions contained in the concluding paragraphs of the enclosed letter from Mr. Harrington.

I am, &c.,

Governor Grey, New Zealand.

No. 5.

Mr. T. C. Harrington to Earl Grey.

New Zealand House, 11th November, 1848.

My Lord,—

The Directors of the New Zealand Company beg to draw your Lordship's attention to the present position of the claims of the Nanto-Bordelais Company to land in Banks Peninsula.

In the report of the Commissioners of Land Claims, Colonel Godfrey and Major Richmond, dated 21st October, 1843, enclosed in Mr. Willoughby Shortland's Despatch of 16th November, same year, and printed in the Parliamentary Paper No. 556, 1844, Appendix, page 438, it was stated that the claim preferred extended to "all Banks Peninsula, in the Middle Island of New Zealand, with the exception of the Bay of Hikurangi, Ohoie on the south, and Sandy Beach, north of Port Cooper, on the north, the boundaries. The supposed contents, 30,000 acres. And further, that the expenditure by the claimants upon public objects had been represented to amount to £18,185 sterling; but that the voucher being in France, this expenditure could not then be verified.

In Lord Stanley's Despatch of 7th July, 1845, No. 7, printed in the Parliamentary Paper No. 337, 1845, page 78, it was stated that Monsieur Maliffre, the representative of the Nanto-Bordelais Company, had established to the satisfaction of the Colonial Land and Emigration Commissioners an expenditure by the said Company of £11,665; and upon a personal reference to Colonel Godfrey, who was then in England, it appeared that that gentleman was of opinion that a purchase had been made from the Natives by Monsieur Langlois of a certain quantity of land in Banks Peninsula, but that its actual extent was not known with sufficient accuracy to enable the Governor to issue a deed of grant, and that it would therefore be necessary for an officer to proceed to Akaroa for the purpose of obtaining a more correct description of it. Directions were accordingly given in the said Despatch to instruct Mr. Edward Shortland, or some other officer, to proceed to Akaroa for the purpose of assisting the agent of the Nanto-Bordelais Company in effecting an arrangement with the Natives for the Company's quiet possession of the land they had purchased, giving him instructions similar to those given to Mr. Spain respecting the compensation to be paid by the New Zealand Company to the Natives of Port Nicholson. It was also declared in the same Despatch, that the quantity of land to which it was the intention of Her Majesty's Government to authorize the grant of a confirmatory title, was limited to 30,000 acres.

These instructions, the Directors believe, have never been carried into effect, owing probably to the change of the agent of the company from Port Nicholson, and from the receipt of the Company's Despatch of 30th April, 1847, as your Lordship is aware, a negotiation has been pending between the Nanto-Bordelais Company and the Directors of the New Zealand Company for the purchase of the interests of the former. In consequence of the shape which the opposition of Monsieur Langlois has at length assumed, and which I had the honour to communicate to your Lordship on the 5th of last August, and which is no longer entertained of this negotiation, being brought to a satisfactory conclusion, I am in the course of preparing the Directors have become aware that the members of the Nanto-Bordelais Company consider themselves enabled to prove an expenditure larger than has been admitted by the Colonial Land and Emigration Commissioners; that the restriction of the claim to 30,000 acres is alleged to have been occasioned by a mistaken belief that the quantity of land would comprise the whole contents of the Peninsula, and that such contents are now computed by the said Company to amount to 292,000 acres. Whether any additional claims would now be admitted by Her Majesty's Government, and if so, to what extent, the Directors have of course no means of forming an opinion. Neither can they state whether in this case, as in purchases apparently equally valid, effected by the New Zealand Company, it will be necessary to pay to the Natives further sums of money.
In the report of Mr. Kemp (the officer employed by Lieutenant-Governor Eyre to effect on behalf of the New Zealand Company a purchase of that portion of the Middle Island which lies between the purchases at Otangaw and at Nelson), which is enclosed in the accompanying Despatch, recently received from Colonel Wakefield, it is stated that "the Native clearly admit having sold the whole of Banks Peninsula to the French Company."

That Peninsula, your Lordship is aware, contains four harbours of considerable magnitude, namely, Akaroa, on its southern coast, and Pigeon Bay, Port Levy, and Port Cooper, on its northern. "Hinukahakau," the Bay excepted from the claim of the Nanto-Bordelais Company, appears to be an insignificant inlet at the junction of the southern coast of the Peninsula with the mainland. On the whole eastern coast of the mainland, from Clowdy Bay, in Cook Strait, down to Otangaw, there is not a single harbour for ships. Your Lordship therefore will at once perceive the importance of ascertaining, with as little delay as possible, which of the four harbours above mentioned were to become the property of the Nanto-Bordelais Company; the more especially so, from the unsettled state of the Native claims in the district of Wairarapa in the Northern Island, and the circumstance of the district lying to the north of the Molyneux River and Milford Haven, in the Middle Island, not having yet been acquired, it appears at the present moment to be far from improbable that the site of the settlement of Canterbury will be fixed in the territory lately purchased as above mentioned, on the eastern coast of the Middle Island, and in the vicinity of Banks Peninsula.

On these grounds the Directors beg to submit to your Lordship's consideration, that it will be expedient,—

1. To call upon the Nanto-Bordelais Company definitely to select, within such time as your Lordship shall deem reasonable, the whole of the land to which it is entitled, in order to the boundaries of such land being marked out upon the spot.
2. To direct that in default of compliance on the part of the said Company, the selection shall be made and the boundaries marked out by an officer to be appointed for that purpose by the Governor-in-Chief of the Colony.
3. To make provision that in any such selection, whether made by the Nanto-Bordelais Company or by the Officer of the Government, one or more of the harbours above mentioned shall be secured for the purposes of colonization.

I have, &c.

T. C. HARRINGTON.

No. 6.

Mr. B. Hawes to Mr. T. C. Harrington.

Sir,—

Downing Street, 20th November, 1848.

I am directed by Earl Grey to acknowledge your letter of the 11th inst., stating that the New Zealand Company had not succeeded in purchasing the interests of the Nanto-Bordelais Company, and reviewing the present position of their claims.

I am desired to acquaint you, in answer, that Lord Grey is very sensible of the importance of the subject to which the Directors of the New Zealand Company have thus drawn attention, and that he concurs in the general tenor of their observations.

With reference to the propositions which they have heard that some of the parties interested in the Nanto-Bordelais Company would act as tracts of land of vast extent, I am directed to acquaint you, for the information of the Directors, that the case having been examined by the Emigration Commissioners, in communication with a gentleman employed by the Nanto-Bordelais Company, and fully empowered to act on their behalf, it was mutually agreed that 30,000 acres would be a liberal allowance of land to settle their claims, and that Lord Grey is satisfied that there would be no just reason to depart from that conclusion. All that remains to be done is to determine the particular tract to be assigned to this Company. Of this subject the Governor of New Zealand was reminded by a Despatch sent to him in August last, calling for a report of any steps which might have been taken, and I am now to acquaint you that your present letter will also be transmitted to Governor Grey, with authority to adopt measures for expediting the demarcation of the block of 30,000 acres which is to be allotted to the Nanto-Bordelais Company.

In conclusion, I am desired to request that you will inform me whether the negotiations in which the New Zealand Company has been engaged have made them acquainted with the address of M. Malhiot, the gentleman who acted for the Nanto-Bordelais Company, in 1845; or if not, that you may be so good as to inform me who may have acted on their behalf in treating with the New Zealand Company.

I have, &c.

E. HAWES.

No. 7.

Despatch from Earl Grey to Governor Grey.

Downing Street, 19th December, 1848.

Sir,—

With reference to my Despatch No. 89, of the 50th ult., requesting you to expedite the selection of a tract of 30,000 acres in Banks Peninsula for the Nanto-Bordelais Company, I enclose, for your information, the copy of a letter which I have caused to be sent to M. Malhiot, at Bordeaux, who has hitherto acted for the Company in this country, apprising him of the nature of the instructions addressed to you on the subject.

I have, &c.

GHMY.
No. 8.

Mr. B. HAVES, to M. MAILLOTRE.

Sir,— With reference to the correspondences which took place with you in the year 1848, on the claim of the Nanto-Bordelaise Company, in which correspondences it was mutually agreed that a tract of 30,000 acres should be selected in Banks Peninsula, in New Zealand, for the purpose of being granted to the Company in satisfaction of its claims, I am directed by Earl Grey to inform you that no intelligence has yet been received of the selection of a tract of land in pursuance of this arrangement, and that it must be expedient for the Company, as well as desirable for the public interests, that this matter should be settled with the least delay which circumstances will admit, the Governor has been instructed to use his efforts to select and appropriate a tract of 30,000 acres to the Nanto-Bordelaise Company, in communication with M. Mailhotre, whom you named as the agent of the Company for this purpose, if he be still in the Colony; and if not, taking the best means in his power for securing a just attention to the interests of the Company in the selection of the lands to be set apart for their use.

I have, &c.,

B. HAVES.

Monn. M. Mailhotre, Bordeaux.

No. 9.

Dispatch from Earl Grey to Governor Grey.

SIR,— With reference to your Despatches Nos. 19 and 21, of the 7th and 15th of March last, I have to transmit to you the enclosed copy of a letter from Mr. T. Harrington, announcing the final conveyance to the New Zealand Company of the entire property and interests of the Nanto-Bordelaise Company.

Governor Grey, New Zealand.

Enclosure in No. 9.

Mr. T. C. HARRINGTON to the Right Hon. Earl Grey.

My Lords,— The Directors of the New Zealand Company beg to thank your Lordship for the communication in Mr. Havre's two letters of the 5th instant, of Sir George Grey's Despatches of the 7th and 15th of March, Nos. 19 and 21, the former stating that through the absence of any person authorised to act on behalf of the Nanto-Bordelaise Company, it had not been found practicable to complete the requisite arrangements respecting the claims of that Company to a tract of land near Banks Peninsula; the latter enclosing Mr. Brunner's journal of his expedition to explore the interior of the Middle Island.

With regard to the Nanto-Bordelaise Company, the Directors are happy to state that the necessity of any further proceedings has been superseded by the conveyance on the 8th of last June by Monseur Baudard, the Official "Liquidateur," of the agreement provisionally entered into on the 24th of February by Monseur Cazenove, reporting which I had the honor to address your Lordship on the 17th of that month and the 1st of June.

Particulars of Monseur Cazenove's agreement were transmitted to the Company's Principal Agent by the ship "Cornwall," on the 13th of April, and of Monseur Baudard's final conveyance to the New Zealand Company of the entire property and interests of the Nanto-Bordelaise Company in New Zealand, for the sum of 24,400, by the ship "Khan," on the 4th of last July.

I have, &c.,

T. C. HARRINGTON.
RETURN OF LAND CLAIMS

OF THE

SOUTHERN ISLAND.
No. 1.

Return showing the whole of the Cases heard by the original Commissioners, and the nature of their Awards in each case; also the Decision of the Governor, and how the Claim was originally disposed of.

<table>
<thead>
<tr>
<th>No. of Claim</th>
<th>Name of Claimant</th>
<th>Extent claimed</th>
<th>Position of the Claim</th>
<th>Nature of the Report by the first Commissioner</th>
<th>How disposed of</th>
<th>Award in favour of</th>
<th>Date of Report</th>
<th>By whom originally reported on</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>George Green</td>
<td>1,000</td>
<td>Middle Island</td>
<td>No grant recommended</td>
<td></td>
<td></td>
<td></td>
<td>Wellington, Dec. 21, 1843</td>
<td>Richmond, 1,069,000 acres. Recommended, denied. Granted, none.</td>
</tr>
<tr>
<td>2</td>
<td>Ditto</td>
<td>20,000</td>
<td>Stewart's Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Wellington, Oct. 21, 1843</td>
<td>Claim withdrawn by claimant.</td>
</tr>
<tr>
<td>3</td>
<td>Ditto</td>
<td>18,800</td>
<td>Jacob's River, Middle Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Wellington, Dec. 31, 1843</td>
<td>Claimant not appearing.</td>
</tr>
<tr>
<td>4</td>
<td>Ditto</td>
<td>1,029,000</td>
<td>Stewart's Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Godfrey, 1844</td>
<td>Claim never advertised for hearing. Sent to Colonial Secretary.</td>
</tr>
<tr>
<td>5</td>
<td>Ditto</td>
<td></td>
<td>Oakon, Middle Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Auckland, 1844</td>
<td>Claim not appearing.</td>
</tr>
<tr>
<td>6</td>
<td>Patrick Byrne</td>
<td>20,000</td>
<td>Toit, Lea, Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Auckland, July 8, 1845</td>
<td>Claimant not appearing.</td>
</tr>
</tbody>
</table>

Note: No other entries.
<table>
<thead>
<tr>
<th>Claimant</th>
<th>Claim</th>
<th>Quantity Claimed</th>
<th>Dec. 30, 1844</th>
<th>Claimant</th>
<th>Wellington, Dec. 31, 1844</th>
<th>Godfrey and Richmond</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Bruce</td>
<td>Not recommended</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edward Calton</td>
<td>Not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Clark</td>
<td>Not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooper, Holt, and Blaxland</td>
<td>Not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Cooper</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. C. Crawford</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Dobson</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. J. Duncan</td>
<td>Not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph Drye</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry Fisher</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goodair and Davidson</td>
<td>Not stated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Grant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Hart</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hay and Wright</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hobbs, W. and Fishel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Brist</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Claim withdrawn by claimant.**

Great recommended subject to exhibition of proof of purchase from M. Blandmore. Proof, however, not submitted. Governor Fitzroy recommended a grant.

Claim withdrawn; original claim returned by Mr. Commissioner Spain, along with other papers, on July 3, 1845. Claim withdrawn. Claimant not appearing. Never advertised for hearing. Returned by Mr. Spain, July 8, 1845. Returned by Mr. Spain, July 6, 1846; never advertised for hearing. Interest of Native claimed not satisfied. Sent to Superintendent of Northern Division, 9th March, 1846. Returned by Mr. Spain, with others not advertised for hearing, July 6, 1846. Returned by Mr. Commissioner Spain, July 6, 1846, with other claims not advertised for hearing. Claimant did not appear. Claimant's agent declined paying fees. Claimant not appearing. Dec'd, Mr. J. Dunsan. Returned by Mr. Spain, July 8, 1845; never advertised. Returned by Mr. Spain, not advertised by a Commissioner for a hearing, July 8, 1846. Returned by Mr. Spain not advertised. Claimant not appearing; derived from J. Jones. Claimant not appearing; derived from J. Jones.
<table>
<thead>
<tr>
<th>No. of Claim</th>
<th>Name of Claimant</th>
<th>Extent claimed</th>
<th>Position of the Claim</th>
<th>Nature of the Report by the first Commissioners</th>
<th>Original Award (in acres, &amp;c.)</th>
<th>Award in favour of</th>
<th>Date of Report</th>
<th>By whom originally reported on</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>117</td>
<td>John Hocking</td>
<td>Acres not stated</td>
<td>Pelorus River, Cook Strait</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>117a</td>
<td>John Hocking</td>
<td>Acres not stated</td>
<td>Bluff River, Forest Gulf Strait</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Wellington, Richmond, Godfrey</td>
<td>...</td>
</tr>
<tr>
<td>117b</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Middle Island, New Silver</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Godfrey and Richmond</td>
<td>...</td>
</tr>
<tr>
<td>118</td>
<td>John Terry</td>
<td>Acres not stated</td>
<td>Pelorus River, Cook Strait</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Wellington, Godfrey and Richmond</td>
<td>...</td>
</tr>
<tr>
<td>119a</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>New River, Middle Island</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Wellington, Godfrey and Richmond</td>
<td>...</td>
</tr>
<tr>
<td>119b</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Forever Strait, Jacob’s River, Middle Island</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Wellington, Godfrey and Richmond</td>
<td>...</td>
</tr>
<tr>
<td>124</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Wai Bawiti, Middle Island</td>
<td></td>
<td></td>
<td>...</td>
<td>...</td>
<td>Wellington, Godfrey and Richmond</td>
<td>...</td>
</tr>
<tr>
<td>124a</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Talbot Island</td>
<td>Recommended</td>
<td>2,500 acres</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>124b</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Talbot Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>124c</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Talbot Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>125</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Molyneux Bay, Talbot Island</td>
<td>Not recommended</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>126</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Talbot Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>127</td>
<td>Thomas Jones</td>
<td>Acres not stated</td>
<td>Molyneux Bay, Forrest Gulf Strait, Middle Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>127a</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Talbot Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>128</td>
<td>Ditto</td>
<td>Acres not stated</td>
<td>Popololu River, Stream of Okaas</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>129</td>
<td>A. Leavitt</td>
<td>Acres not stated</td>
<td>Molyneux Bay</td>
<td>Not recommended</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>130</td>
<td>J. H. Leyden</td>
<td>Acres not stated</td>
<td>Talbot river, Jacob’s River, Middle Island</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>131</td>
<td>James MclLlinden</td>
<td>Acres not stated</td>
<td>Bight Harbour, Middle Island</td>
<td>Recommended</td>
<td>72 acres</td>
<td>Feb 15, 1848</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
<tr>
<td>132</td>
<td>A. McIntyre</td>
<td>Acres not stated</td>
<td>Molyneux Bay</td>
<td>Not recommended</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>...</td>
</tr>
</tbody>
</table>

Claim returned by Mr. Spence, not advertised for hearing, derived from J. J. E. F. Wood (Polynesian Company).
Claimant not appearing.

117a—Deed, J. Jones.
117b—J. J. E. F. Wood.

Claimant not appearing, derived from J. J. E. F. Wood.

Returned by Commissioners Spain, not advertised; derived from J. J. E. F. Wood (Polynesian Company).

Claimant not appearing; derived from J. J. E. F. Wood.

Reflected to Commissioners Blake and Taylor, the Executive Council, 8th December, 1844, who recommended, December 27th, 1844, a grant for 10,000 acres. By Governor Blayney’s directions, a grant was prepared for 8,565 acres. Lead and 1846 derived Dou-Jones Bruce.

John Jones withdraws the claim before the Commissioners.

Claimant not appearing.

Non-appearance of claimant.

Excepting right to reserve any portion of harbour, no reservation in the deed of grant.

Claimant not appearing; derived from J. Jones.
<table>
<thead>
<tr>
<th>Claimant</th>
<th>Quantity Granted</th>
<th>Claimant's Agent</th>
<th>Claimant's Address</th>
<th>Claimant's Agent</th>
<th>Claimant's Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Johnson &amp; Co.</td>
<td>1,230,000</td>
<td>Pelorus River</td>
<td>Returned by Mr. Spain; not advertised.</td>
<td>Wellington, Dec. 31, 1845</td>
<td>&quot;</td>
</tr>
<tr>
<td>Charles Mitchell</td>
<td>Not stated</td>
<td>Jacob's River</td>
<td>Recommended</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Isaac Moore</td>
<td>260</td>
<td>Stewart's Island</td>
<td>Not recommended</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>D. F. Nash</td>
<td>1,500</td>
<td>Middle Island,Totowa's River</td>
<td>Quantity Granted: 260 acres, Feb. 13, 1845</td>
<td>Claimant</td>
<td>&quot;</td>
</tr>
<tr>
<td>Bell O'Farrell</td>
<td>Not stated</td>
<td>Pelorus River</td>
<td>Recommended</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Delano Straits, Pelorus River</td>
<td>Not received</td>
<td>Wellington</td>
<td>&quot;</td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td>Bluff, Pelorus River</td>
<td>Recommended</td>
<td>Wellington</td>
<td>&quot;</td>
<td></td>
</tr>
<tr>
<td>Edwin Peacock</td>
<td>Not stated</td>
<td>Bluff Harbour, Middle Island</td>
<td>Quantity Granted: 260 acres, Feb. 13, 1845</td>
<td>Claimant</td>
<td>&quot;</td>
</tr>
<tr>
<td>I. J. Reacock</td>
<td>Not stated</td>
<td>New River, Middle Island</td>
<td>Recommended</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Bluff, Bluff</td>
<td>New River, Bluff</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Richard Pock</td>
<td>10,000</td>
<td>New River, Bluff</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Bluff, Jacob's River</td>
<td>New River, Bluff</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Samuel Pock</td>
<td>10,000</td>
<td>New River, Bluff</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Bluff, Jacob's River</td>
<td>Bluff, Bluff</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>P. Peterson</td>
<td>Not stated</td>
<td>Pelorus River</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Daniel Rogers</td>
<td>280</td>
<td>Glenwood Bay</td>
<td>Returned by Mrs. Spain; not advertised.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>H. Terry</td>
<td>3,000</td>
<td>New River, Branson</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Pelorus River</td>
<td>Recommended</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Fowxus Straits</td>
<td>Recommended</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>James Simons</td>
<td>200</td>
<td>Bluff, Middle Island</td>
<td>Quantity Granted: 200 acres, Feb. 15, 1845</td>
<td>Claimant</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>200</td>
<td>&quot;</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ditto</td>
<td>Not stated</td>
<td>Inlet</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>W. G. Thomas</td>
<td>12,000</td>
<td>Tora's River, Middle Island</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>S. M. Thomsen</td>
<td>12,000</td>
<td>&quot;</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>Thawley &amp; Clark</td>
<td>12,000</td>
<td>&quot;</td>
<td>Claimant not appearing.</td>
<td>Wellington</td>
<td>&quot;</td>
</tr>
<tr>
<td>No. of Claim</td>
<td>Name of the Claimant</td>
<td>Extent claimed</td>
<td>Position of the Claim</td>
<td>Nature of the Report by the First Commissioner</td>
<td>Award in favour of</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------</td>
<td>----------------</td>
<td>----------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>223a</td>
<td>E. W. Upton</td>
<td>Not stated</td>
<td>Tawone River</td>
<td>Not recommended</td>
<td></td>
</tr>
<tr>
<td>223b</td>
<td>Ditto</td>
<td></td>
<td>Malonya Bay</td>
<td>Recommended</td>
<td></td>
</tr>
<tr>
<td>223c</td>
<td>Ditto</td>
<td></td>
<td>Wakanu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>228</td>
<td>Joseph Webb</td>
<td>10,000</td>
<td>New River, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>229</td>
<td>Ditto</td>
<td>16,000</td>
<td>Bluff, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230</td>
<td>Edward Waller</td>
<td>10,000</td>
<td>Malonya River</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230a</td>
<td>Ditto</td>
<td>25,000</td>
<td>Bluff River</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230b</td>
<td>Ditto</td>
<td>5,000</td>
<td>Wakanu, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230c</td>
<td>Ditto</td>
<td>500,000</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230d</td>
<td>Ditto</td>
<td>200,000</td>
<td>Tamana, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230e</td>
<td>Ditto</td>
<td>250,000</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230f</td>
<td>George Waller</td>
<td>1,000</td>
<td>Wakanu, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230g</td>
<td>Ditto</td>
<td>64,000</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230h</td>
<td>Ditto</td>
<td>900</td>
<td>Bluff Harbour</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230i</td>
<td>Ditto</td>
<td>500,000</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230j</td>
<td>Ditto</td>
<td>500,000</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230k</td>
<td>Ditto</td>
<td>200,000</td>
<td>Tamana, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230l</td>
<td>W. O. Wentworth</td>
<td>Not stated</td>
<td>Wakanu, Middle Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230m</td>
<td>Ditto</td>
<td>Malonya Bay, Middle Island</td>
<td>Recommended</td>
<td></td>
<td></td>
</tr>
<tr>
<td>230n</td>
<td>Ditto</td>
<td>Bluff Harbour, Middle Island</td>
<td>Reserve Harbour</td>
<td>2,500 acres</td>
<td>Grant 2,500 acres</td>
</tr>
<tr>
<td>230o</td>
<td>Peter Williams</td>
<td></td>
<td>Dunky Bay and Forsim Project, South-west Coast, Middle Island</td>
<td>Recommended</td>
<td></td>
</tr>
<tr>
<td>230p</td>
<td>Chapman and Morgan</td>
<td>50,000</td>
<td>Jacob's River, Middle Island</td>
<td>Not recommended</td>
<td></td>
</tr>
<tr>
<td>231</td>
<td>B. E. Eddes</td>
<td></td>
<td>Half of Banks Peninsula, Middle Island</td>
<td>Not recommended</td>
<td></td>
</tr>
<tr>
<td>232</td>
<td>W. Purves</td>
<td>250</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Claimant</td>
<td>Description</td>
<td>Area</td>
<td>Quantity claimed</td>
<td>Owner</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------</td>
<td>------------------------------</td>
<td>-------------</td>
<td>------------------</td>
<td>-------</td>
</tr>
<tr>
<td>James Jones</td>
<td>Unstated</td>
<td>Bluff, Middle Island</td>
<td>490 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td>Peter's River, Stewart's Island</td>
<td>90 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td>Glory Harbour, Stewart's Island</td>
<td>150 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Katan &amp; Coops</td>
<td>Unstated</td>
<td>All Banks Peninsula</td>
<td>8,000 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Representative of T. Allison</td>
<td></td>
<td>Two mile square, 8,660</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N.Z. Company</td>
<td>Unstated</td>
<td>Nelson &amp; Wairau</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W. Mathew</td>
<td></td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td></td>
<td>Lewis Island, Cook Strait</td>
<td>900 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Stewart</td>
<td></td>
<td>Aramoa, Banks Peninsula</td>
<td>150 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J. Jackson</td>
<td></td>
<td>Queen Charlotte's Sound</td>
<td>8,000 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph Thomas</td>
<td></td>
<td>Kapiti, Mana, Queen Charlotte's Sound</td>
<td>2,500 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neillassetman</td>
<td>Unstated</td>
<td>Port Underwood</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daniel Rogers</td>
<td></td>
<td>Pororari River, Cook Strait</td>
<td>840 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Smith</td>
<td>Unstated</td>
<td>Pororari Street, Stewart's Island</td>
<td>2,500 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. F. Okesian</td>
<td></td>
<td>Cloudy Bay</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Campbell</td>
<td></td>
<td>Pororari Strait</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>William Sterling</td>
<td></td>
<td>Bluff Harbour, Middle Island</td>
<td>150 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P. O. H. Murphy on behalf of R. A. Murphy &amp; G. Ellis</td>
<td></td>
<td>Mudfort Harbour, Middle Island, West Coast</td>
<td>490 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mitchell &amp; Co.</td>
<td></td>
<td>Queen Charlotte's Sound</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nantley-Hughes &amp; Co.</td>
<td></td>
<td>All Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Commissioners state that they refrain from making any report as the case appears to be a special one; and it is stated in a letter from the Rev. of Aberdeen to Lord Cowley, dated 28th July, 1846, and from the Colonial Secretary to Vice-Admiral Jenkins, dated 18th April, 1846, the Company's Agent, copies of which are attached to the paper, that the claims of the N.Z. Company were to be treated on the same footing as those of an English Company. The evidence of the original purchase by Captain Lachlan, in 1838, is very defective, but the Natives admit a sale in August, 1846, of certain portions of the claim. They further agreed in the same month, to allocate large tracts of land on the Peninsula for further qualifications, which, however, were never paid for. They expressed their readiness still to support the claims of the Company, but it does not appear to have been made any further in this adopts. See 'Notes.'
No. 2.

Return of Cases heard and reported on by the original Commissioners of Land Claims, and which were afterwards referred to a new Commissioner, who reversed the decision of the former Commissioners, and made a new Report without having heard the case; showing the nature of the several Reports, and how the Claims were finally disposed of.

|-----|-------|----------------|-----------------------------------|----------------------------------|---------------------------------|----------------------|-----------------|-------|

No. 3.

Return of Land Claims dealt with in the Southern Island.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>George Green</td>
<td>2,000</td>
<td>Blue Harbour, Middle Island</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Laid open by the claimant not appearing before Commissioner Godfrey. Claimant allowed to file his notification; his non-appearance before Commissioner Godfrey being accounted for satisfactorily. The Stewart Island claim not investigated, no evidence being produced except deed of sale by Stewart.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>Ditto</td>
<td>20,000</td>
<td>Stewart's Island</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>Ditto</td>
<td>20,000</td>
<td>Stewart's Island</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Ditto</td>
<td>109</td>
<td>Blue Harbour</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Ditto</td>
<td>1,032,000</td>
<td>West Coast, Middle Island</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>Ditto</td>
<td>450</td>
<td>Colin's Bight</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>7</td>
<td>7</td>
<td>Ditto</td>
<td>10</td>
<td>Island, Otangararo</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>8</td>
<td>8</td>
<td>Ditto</td>
<td>143</td>
<td>Otango Harbour</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>9</td>
<td>9</td>
<td>Ditto</td>
<td>20,000</td>
<td>Banks Peninsula</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>Ditto</td>
<td>2,800</td>
<td>Port Cooper</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>11</td>
<td>11</td>
<td>Ditto</td>
<td>24,000</td>
<td>Jacob's River</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>12</td>
<td>12</td>
<td>Ditto</td>
<td>2,800</td>
<td>Cook Strait</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>13</td>
<td>13</td>
<td>Ditto</td>
<td>24,000</td>
<td>Middle Island</td>
<td>1838</td>
<td>3. a. d.</td>
<td>50,10 0</td>
<td>71</td>
<td>Grant to be issued to the claimant for 869 acres. This award has been appealed against, and the appeal not yet presented.</td>
<td>71 0 0</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Acres</td>
<td>Location</td>
<td>Year</td>
<td>Other Details</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-----------------</td>
<td>-------</td>
<td>----------------</td>
<td>-------</td>
<td>-----------------------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Isaac Britton</td>
<td>150</td>
<td>Cloudy Bay</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Edward Booty</td>
<td>700</td>
<td>Nova Scotia</td>
<td>1886</td>
<td>Grant for 600 acres, 30th December, 1884.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>John Black</td>
<td>700</td>
<td>Jacob's River</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Edward Smith</td>
<td>300</td>
<td>Butte</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Joseph Brown</td>
<td>50</td>
<td>Bluff Harbour</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>James Bruce</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Joseph Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>James Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>James Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41</td>
<td>James Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>42</td>
<td>James Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Joseph Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>53</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>Edward Smith</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>John Brown</td>
<td>50</td>
<td>Middle Island</td>
<td>1886</td>
<td>Claim never investigated.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Return of Land Claims dealt with in the Southern Island—continued.

<table>
<thead>
<tr>
<th>No.</th>
<th>Claimant</th>
<th>Average originally claimed</th>
<th>Loyalty</th>
<th>Payments to Natives</th>
<th>Acreage surveyed</th>
<th>How disposed of under former Regulations and under the Land Claims Settlement Acts.</th>
<th>Acreage awarded or granted</th>
<th>Presentees in Scrip, Debentures, or Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td>53</td>
<td>Polynesian Company (after Hughes, J. T. Rigby, and others)</td>
<td>Fekora River</td>
<td>Oct. 1833</td>
<td>2,180</td>
<td>18</td>
<td>6</td>
<td>Never advertised for hearing.</td>
<td>2,180</td>
</tr>
<tr>
<td>54</td>
<td>Ditto</td>
<td>Beef</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Ditto</td>
<td>New River</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. Claims out of or deducted.</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Ditto</td>
<td>Fekora</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. Claims out of or deducted.</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Ditto</td>
<td>Waimakariri</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The payment of £1,240 in October, 1833, would, according to the rules with respect to the other land claimants, be embezzled to their claim.</td>
<td></td>
</tr>
<tr>
<td>59</td>
<td>Thomas Jeffry</td>
<td>Jacob's River</td>
<td>1833</td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>John Jones</td>
<td>Waikuku River,8 Middle Island</td>
<td>1833</td>
<td>3,567</td>
<td>15</td>
<td>0</td>
<td>8,500</td>
<td>2,500</td>
</tr>
<tr>
<td>62</td>
<td>Ditto</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>dismissed.</td>
</tr>
<tr>
<td>66</td>
<td>Ditto</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed, complaint not appearing.</td>
<td></td>
</tr>
<tr>
<td>67</td>
<td>Ditto</td>
<td>Moea</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed, complaint not appearing.</td>
<td></td>
</tr>
<tr>
<td>68</td>
<td>Ditto</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed, complaint not appearing.</td>
<td></td>
</tr>
<tr>
<td>69</td>
<td>Ditto</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed, complaint not appearing.</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>A. Lomax</td>
<td>Tauranga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td>J. M. Letton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>James Liddell</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>J. J. McKibben</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>A. McIntyre</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>Ditto</td>
<td>Malaga</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed. No claim preferred.</td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>Ditto</td>
<td>Stewart's Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Grant for 240 acres issued to claimant, 18th February, 1835.</td>
<td>240</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Description</td>
<td>Amount</td>
<td>Sub.</td>
<td>Date</td>
<td>Status</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-----------------</td>
<td>-------------</td>
<td>---------</td>
<td>------</td>
<td>----------</td>
<td>--------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>D. F. Nash</td>
<td>Otago</td>
<td>12,500</td>
<td></td>
<td>1858</td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>78</td>
<td>Bull C. Fareall</td>
<td>Middle Island</td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>79</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>81</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>82</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>84</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>85</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>86</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>87</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>88</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>89</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>91</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>92</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>93</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>94</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>95</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>98</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>99</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>101</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>102</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>103</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>104</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>105</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>106</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>107</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>108</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>110</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>111</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>112</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>113</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>114</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>115</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>116</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>117</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>118</td>
<td>J. S. Denton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Disallowed.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** The table lists various properties and their associated names and descriptions. The status column indicates the outcome of the property claims, with 'Disallowed' being the most common result.
<table>
<thead>
<tr>
<th>No.</th>
<th>Claimant</th>
<th>Acknowledged or claimed.</th>
<th>Local.</th>
<th>Yearly Purchased</th>
<th>Payments in Sterling</th>
<th>Acreage awarded or granted.</th>
<th>Compensation in Sterling, Dollars, or Cash.</th>
</tr>
</thead>
<tbody>
<tr>
<td>115</td>
<td>W. G. Wentworth</td>
<td>400</td>
<td>Waitakitio</td>
<td></td>
<td>255 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>E. D. Dixie</td>
<td>300</td>
<td>Mollysax</td>
<td></td>
<td>255 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>121</td>
<td>T. H. Dixie</td>
<td>100</td>
<td>Bluff</td>
<td></td>
<td>255 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>122</td>
<td>Peter Williams</td>
<td>300</td>
<td>Preservation Bay, Otago</td>
<td>1839</td>
<td>255 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>123</td>
<td>W. C. Chapman and Morgan</td>
<td>600</td>
<td>Jacob's River</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>124</td>
<td>D. E. Cotes</td>
<td>265</td>
<td>Banks Peninsula</td>
<td>1837</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>125</td>
<td>J. W. Purde</td>
<td>100</td>
<td>Bluff</td>
<td>1835</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>126</td>
<td>James Cox</td>
<td>200</td>
<td>Stewart's Island</td>
<td>1835</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>127</td>
<td>T. H. Dixie</td>
<td>100</td>
<td>Bluff</td>
<td>1835</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>128</td>
<td>T. H. Dixie</td>
<td>100</td>
<td>Bluff</td>
<td>1835</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>129</td>
<td>E. O. Raeburn and Osborn</td>
<td>2,500</td>
<td>Banks Peninsula</td>
<td>1837</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>130</td>
<td>W. W. Russell</td>
<td>2,500</td>
<td>Cook Strait</td>
<td>1836</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>131</td>
<td>W. Mayhew</td>
<td>300</td>
<td>Banks Peninsula</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>132</td>
<td>William Stewart</td>
<td>300</td>
<td>Aroha</td>
<td>1835</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>133</td>
<td>J. Jackson</td>
<td>150</td>
<td>Queen Charlotte's Sound</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>Joseph Toms</td>
<td>2,000</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>135</td>
<td>John Lane</td>
<td>100</td>
<td>Port Underwood</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>136</td>
<td>Neil and Halman</td>
<td>300</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>137</td>
<td>D. Rogers</td>
<td>100</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>138</td>
<td>John McKean</td>
<td>200</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>139</td>
<td>Thomas Smith</td>
<td>100</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>140</td>
<td>D. C. Okebro</td>
<td>200</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>141</td>
<td>James Campbell</td>
<td>300</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>142</td>
<td>William Stirling</td>
<td>100</td>
<td>Bluff</td>
<td>1839</td>
<td>400 0 0</td>
<td>2,450</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Description</td>
<td>1856</td>
<td>1860</td>
<td>Remarks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------</td>
<td>----------------------</td>
<td>------</td>
<td>------</td>
<td>---------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>144</td>
<td>Coleys and Coombes</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>145</td>
<td>Narto-Berchelis</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>146</td>
<td>A. Ellis</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>147</td>
<td>Elliott and Dobie</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>148</td>
<td>James McLean</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>149</td>
<td>Certaines Marwood</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>Henry Dymonson</td>
<td>Queen Charlotte's</td>
<td></td>
<td></td>
<td>$40,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td>Sound</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>151</td>
<td>W. G. Snow</td>
<td>Cape Jackson</td>
<td></td>
<td></td>
<td>$17,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>152</td>
<td>R. Simonds</td>
<td>Bluff Harbour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>153</td>
<td>W. Eischalfiff</td>
<td>Jacob's River</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>154</td>
<td>John Staple</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>155</td>
<td>J. E. Takeith</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>156</td>
<td>A. Oliver</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>157</td>
<td>Campbell and Brown</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>158</td>
<td>Edward Hunt</td>
<td>Banks Peninsula</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>159</td>
<td>— Darmandante</td>
<td>Akaroa</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>160</td>
<td>Children of Mr. Baker</td>
<td>Akaroa</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Granted to claimant for 612 acres, 15th February, 1845. Grant called in and cancelled. No claim preferred; 612 acres offered to be surveyed in order that new grants be issued to persons who may establish their right to the same. Never investigated; papers lost. No claim preferred.
- Settled in the claims of the New Zealand Company.
- Not investigated. Claims preferred but notification not paid. Lapsed. Partly investigated; not finally settled.
- Not investigated. Claims not yet prosecuted. Could only be settled under last section of Act of 1868. Not investigated; no claim preferred. Not referred to any Commissioner; no claim preferred.
- Partly heard by Commissioner Godfrey. Not investigated.
PAPERS RELATIVE TO THE OTAKOU PURCHASE BY CAPTAIN SYMONDS IN 1844.

SCHEDULE

<table>
<thead>
<tr>
<th>Date</th>
<th>From</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb. 27, 1844</td>
<td>J. W. Hamilton, Esq.</td>
<td>W. Wakefield, Esq.</td>
<td>Transmitting copy of instructions given to Mr. Symonds respecting the purchase of a block of land in New Munster.</td>
</tr>
<tr>
<td>Mar. 27, 1844</td>
<td>Governor FitzRoy</td>
<td>J. J. Symonds, Esq.</td>
<td>Copy of directions to regulate his proceedings in ascertaining the New Zealand Company in effecting the purchase of a block of 156,000 acres as a site for the New Edinburgh Settlement.</td>
</tr>
<tr>
<td>Apr. 3, 1844</td>
<td>M. Richmond, Esq.</td>
<td>Governor FitzRoy</td>
<td>Communicating the steps he had taken in pursuance of the arrangement by Governor FitzRoy for establishing a settlement in the Middle Island.</td>
</tr>
<tr>
<td>May 23, 1844</td>
<td></td>
<td></td>
<td>Reporting that Mr. Symonds had embarked in the &quot;Deborah&quot; for Otago to carry out His Excellency's instructions.</td>
</tr>
<tr>
<td>July 13, 1844</td>
<td></td>
<td>Hon. Colonial Secretary</td>
<td>Reporting that Mr. Symonds had been obliged again to return to Wellington without effecting a settlement, and enclosing correspondence explaining the cause.</td>
</tr>
<tr>
<td>Sept. 2, 1844</td>
<td>J. J. Symonds, Esq.</td>
<td>His Honor the Superintendent</td>
<td>Reporting that he had succeeded in effecting the purchase of the Otago block, and indenting the duplicates of the deed.</td>
</tr>
<tr>
<td>July 31, 1844</td>
<td></td>
<td></td>
<td>Copy of the deed of Purchase in favour of the New Zealand Company for 156,000 acres.</td>
</tr>
<tr>
<td>July 23, 1844</td>
<td></td>
<td></td>
<td>Copy of an undertaking by Colonel Wakefield to select 156,000 acres.</td>
</tr>
<tr>
<td>Apr. 14, 1844</td>
<td>Governor Grey</td>
<td>Lord Stanley</td>
<td>Stating that an unconditional grant of 600,000 acres had been made to the New Zealand Company.</td>
</tr>
</tbody>
</table>

No. 1.

Mr. J. W. Hamilton to Mr. W. Wakefield, Principal Agent of the New Zealand Company.

Wellington, 27th February, 1844.

I have the honor of forwarding to you, by desire of the Governor, a copy of the instructions which His Excellency has given to Mr. Commissioner Spain.

By these instructions you will see that a purchase or purchases, to the extent of not more than 156,000 acres of land in or near the Wairarapa, and not more than 250,000 acres elsewhere, are authorised by His Excellency, under that officer's superintendence, under certain conditions.

And, by the enclosed copy of instructions to Mr. Joan Jericho Symonds, Police Magistrate, you will perceive that Mr. Symonds is authorised to proceed to New Munster, and there superintend and assist in effecting the valid purchase of not more than 156,000 acres of available land, without regard to figure or continuity of blocks, to which the Crown right of pre-emption will be waived, on certain conditions.

The conditions referred to are—

1st. That all existing arrangements made by the Government with respect to the New Zealand Company's settlements shall be strictly observed, except as altered by the present arrangement.

2nd. That the land so purchased shall be counted in exchange for an equal number of acres claimed by and to which a valid title can be proved by the New Zealand Company elsewhere, it being clearly understood that the purchase money in both cases referred to is to be provided by the Company.

3rd. Thus, the exterior boundaries as well as interior divisions of the land so purchased shall be surveyed by, and at the expense, and by the surveyors, of the New Zealand Company.

By these arrangements being carried into effect, I trust that the Government will enable the New Zealand Company to insure undisturbed possession of a sufficient extent of available land to a numerous and important body of British subjects who have already settled in New Zealand in consequence of purchases made by the Company, as well as to others of our countrymen who may hereafter emigrate under the New Zealand Company's auspices.

W. Wakefield, Esq.,
Principal Agent, N. Z. Co.

J. W. Hamilton,
Principal Secretary.
No. 2.

Copy of the Directions issued by Governor Fitzroy to J. J. Symonds, Esq., P.M., Wellington.
You are hereby required and directed to proceed to New Munster (on the Middle Island), and there superintend and assist the Agent of the New Zealand Company in effecting the valid purchase of or valid purchases of not more than 150,000 acres of available land, without regard to figures or com- mitment of blocks.

To such an extent of the land, the Crown right of pre-emption will be waived upon the report of the validity of the purchase under certain conditions.

You will be most careful not to maintain any, even the smallest, encroachment on or infringement of existing rights or claims, whether Native or other, unless clearly sanctioned by their legitimate successor.

You will inform settlers now established in New Munster, that their cases will be most carefully and kindly dealt with by Government under existing regulations, or by a special act of grace, such as by waiving the Crown's right of pre-emption in their favour to a reasonable extent.

You will inform the aboriginal native population that you are sent to superintend and forward the purchase of lands which they wish to sell, and that you, on behalf of the Government, will not authorize nor in any way sanction any proceedings which are not honest, equitable, and in every way improachable.

You will exact authority, as Police Magistrate, where it may be required, and report your proceedings from time to time to the Superintendent of the Southern Division. Your knowledge of the Native character and habits, your late employment as Sub-Protestant of Aborigines, and your own personal contact, recommend you for this special service.

While absent from Wellington on this important duty, you will be entitled to receive 10s. per diem for traveling allowance.

Given under my hand and seal, this 27th day of February, 1844.

HOBART FITZROY,
Governor.

No. 3.

Mr. William Wakefield, Agent of the New Zealand Company, to Mr. J. J. Symonds.

Sir,— I have the honor to communicate to you the steps I have taken in pursuance of the arrangements sanctioned by His Excellency Governor Fitzroy for establishing a settlement in the Middle Island by the New Zealand Company, to facilitate which object, by assisting the Company's Agent in the acquisition of a suitable district of land, you received the instructions from His Excellency, with a copy of which he was pleased to furnish me.

Mr. Frederick Tuckett, late Chief Surveyor to the Company at Nelson, has been charged by me, on the part of the Company, with the selection of the site, and with the purchase of the land from the Natives, with your approval and assistance, for the proposed settlement.

Mr. Tuckett has chartered the schooner "Deborah," 120 tons, for the purpose of conveying an exploring party, with provisions and materials for a house, to Port Cooper, from whence he proposes to examine the land in the neighbourhood of Banks Peninsula, and afterwards to proceed to Peverell Strait and Milford Haven. He calculates that the time required for determining the place and allowing the "Deborah" to return to this place would be within sixty (60) days.

As it is a matter of importance that no time should be lost in bearing with the Natives after the appropriate locality is selected, previously to the commencement of any surveying operations, Mr. Tuckett proposes to call here on his way from Nelson, for the purpose of informing you to accompany him on his voyage. The "Deborah" was to leave Nelson on the 26th or 29th inst., and may therefore be hourly expected here. As soon as she arrives, I will wait upon you with Mr. Tuckett, to learn your wishes on the subject.

I am, &c.,

J. J. Symonds, Esq.

No. 4.

His Honour M. Richmond, Superintendent, to His Excellency the Governor, &c., Auckland.

Sir,— I do myself the honor to report that Mr. Symonds embarked yesterday in the schooner "Deborah," for New Munster, to superintend and assist in effecting the purchase of land by the New Zealand Company, agreeably to the instructions he received from your Excellency.

As I learnt there were two surveyors on board attached to Mr. Tuckett, the agent selected to conduct this purchase, and as Mr. Symonds expressed himself apprehensive that an attempt would be made to survey the land before the arrangements were completed, I took an opportunity, when the Principal Agent of the New Zealand Company was present, to distinctly and positively forbid Mr. Tuckett proceeding with any survey until the land was acquainted by the Natives, and permission given by him by the Government officer who was intrusted to superintend the negotiations; and in order that no misunderstanding might exist on the subject, I gave Mr. Symonds the letter of which the enclosed is a copy.

I am, &c.,

M. RICHMOND,
Superintendent.
Enclosure in No. 4.

His Honor M. Richmond, Superintendent, to Mr. J. J. Symonds, Assistant Police Magistrate, Wellington.

Sir,—

You are clearly to understand that in superintending the purchase of land by the New Zealand Company in the Middle Island, no survey is to be proceeded with by its agents, or any one employed by him, until you are perfectly satisfied that the land has been alienated by the aborigines, and purchased by him on behalf of the Company.

I have, &c.,

M. Richmond,
Superintendent.

Wellington, 2nd April, 1844.

J. J. Symonds, Esq.

No. 5.

His Honor M. Richmond, Superintendent, to His Excellency the Governor, &c., Auckland.

Sir,—

By the accompanying documents which I do myself the honour to forward, your Excellency will learn the reason of Mr. Symonds's return to Wellington from New Munster, to which place I reported he had proceeded on the 2nd ultimo.

After transmitting the correspondence which passed between him and Mr. Tuckett to the Principal Agent of the New Zealand Company, and finding he had commissioned his brother, Mr. Daniel Wakefield, to proceed to the Middle Island prepared with funds to effect the acquisition of land for the Company, I directed Mr. Symonds to return with him by the schooner "Scotia," which sailed on the 21st last, in order that every facility might be afforded in the negotiations for the purchase.

From the tone of the letter I received from the Company's Principal Agent, I was apprehensive that in his communications with Mr. Tuckett he might not have expressed himself in sufficiently strong terms on the impropriety of his proceedings so as to prevent a repetition of them; and it having likewise come to my knowledge that an influential chief in the South had written to another, consenting to the sale of the land, but at the same time remarking, "that if the Pakehas did not make all straight, they had only to repeat the scene of the Waitangi," I considered that Mr. Symonds should be furnished with more stringent directions to enable him at once to put a stop to any measure which he conceived was likely to bring on a collision with the aborigines, or create any serious misunderstanding between them and our countrymen.

A copy of these instructions I herewith enclose.

Previous to Mr. Symonds's and Mr. D. Wakefield's departures, they had several interviews at my house, when I counselled their putting any question to each or to me upon points on which either entertained the slightest doubt; and from the manner in which both appeared to understand the business, and the correct sense Mr. Wakefield seemed to take of Mr. Tuckett's conduct, I do not contemplate there will be any further misunderstanding or delay.

In relation to the new settlement, when the choice of sections are being made, it will be necessary to have an officer on the spot to select reserves for the Government and Natives; for this duty (should I not be previously instructed by your Excellency) it is my intention to appoint Mr. Symonds, whose local knowledge and experience as a surveyor qualifies him for the service.

I shall endeavour to furnish him with a list of what is required, in the event of my not learning in time what reserves your Excellency may consider necessary.

I have, &c.,

M. Richmond,
Superintendent.

His Excellency the Governor, Auckland.

Enclosure 1 in No. 5.

Mr. J. J. Symonds, P.M., to His Honor the Superintendent, Wellington.

Sir,—

I have the honour to report to you my arrival in this place, having been compelled, by the following unforeseen circumstances, to withdraw from the expedition for the purchase of a site for the settlement of New Edinburgh, &c.—let. Because the Agent of the New Zealand Company for New Edinburgh has proceeded to survey lands and roads contrary to your instructions to me on this head, dated 2nd April, 1844, alleging as an excuse for so doing, his having obtained permission from the proprietors, both European and aboriginal. As the principal chief to whom this district partly belongs was absent at Fort Lorne, and no permission to survey was granted by him to Mr. Tuckett, while he was at Fort Cooper, I considered the sanction of the aboriginal proprietors had not been obtained. Mr. Jones, who is the greatest landed proprietor in this district, did grant permission to Mr. Barnicoat to survey Waitakoea; but this gentleman did not think proper to inform me of the circumstances, although he led Mr. Tuckett to understand that he had fulfilled his instructions on this head. It was by unintentionally overlooking two of Mr. Tuckett's assistants forming plans for the commencement of the survey in question that I was led to conceive their intentions, and was then informed that Mr. Tuckett had left instructions with them to survey Waitakoea, during his absence. Not having informed me of any such arrangements previous to his departure, as I considered your instructions most positive on this point, I recommended these gentlemen, in the utmost form, to abstain and await the arrival of Mr. Tuckett, who on his return transmitted me the enclosed communication (No. 1), a copy of which I herewith the honour to forward for your inspection. 2nd. As the instructions of His Excellency the Governor to me were to superintend and assist in the purchase of a portion of land for the settlement of New Edinburgh, I was led to understand, previous to
my departure from this place, by a letter from the New Zealand Company's Principal Agent, a copy of which I had the honor to place before you, that Mr. Tucket was empowered by him to effect this purchase, and had the means of so doing.

I subsequently ascertained that it was his intention to remunerate the aborigines for their land, partly in goods and partly by cheques drawn on the Principal Agent of the New Zealand Company. I did not consider the latter mode of payment satisfactory, the aborigines not comprehending the nature of such.

I beg leave to add, in conclusion, that although Mr. Tucket disclaims in his letter No. 2, (a copy of which I also have the honor to enclose) having expressed any intention of acting in opposition to any of your wishes, he informed me, "that he had no idea of being troubled by any instructions I might have received on this subject, more especially as they were opposed to the object of his present expedition." And he furthermore stated, as you will perceive by the enclosed communication, that it was his indispensable duty to give his assistants similar instructions in reference to the port of Otago, and all other parts which he might subsequently visit.

Considering this mode of proceeding in direct opposition to the tenor of your instructions, which were peremptory; on this head, I conceived myself bound to withdraw from the expedition, and avail myself of the opportunity which fortunately offered itself at that moment to ascertain your further instructions on these important points.

I have, &c.,

His Honor the Superintendent, Wellington.

John Jermin Symonds, P.M.

Enclosure 2 in No. 5.

Mr. F. Tucket to Mr. J. J. Symonds, Police Magistrate.

Sir,—

"Deborah," off Waikatea, 22nd April, 1844.

Mr. Bernard not having complied with my instructions in reference to effecting a survey of this road, and alleging, as the ground of such omission, your interference and disapprobation (notwithstanding that he had urged that he was assured by Mr. Jones that such proceeding would be perfectly satisfactory to the aboriginal inhabitants and himself), I have to request you will furnish me with the name of any proprietor or proprietors of land at Waikatea on whose behalf you may have acted in thus frustrating one of the objects of my present enterprise.

I have, &c.,

Frederick Tucket.

Enclosure 3 in No. 5.

Mr. J. J. Symonds, P.M., to the Agent of the New Zealand Company for New Edinburgh.

Sir,—

In answer to your letter of the 22nd April, in which you request that I will furnish you with the name of any proprietor or proprietors of land at Waikatea on whose behalf I may have acted in thus prohibiting, one of the objects of your present enterprise, I have the honor to enclose, for your information, a copy of a letter from His Honor the Superintendent of the Southern District, in which you will observe that it is clearly defined that no survey is to be proceeded with by the Agent of the New Zealand Company, or any one employed by him, unless I am clearly satisfied that the land has been alienated by the aborigines, and purchased by him on behalf of the Company.

I have, &c.,


John Jermin Symonds.

Enclosure 4 in No. 5.

Mr. J. J. Symonds, P.M., to the Agent of the New Zealand Company for New Edinburgh.

Sir,—

Understanding from your verbal communication of this morning that you do not feel yourself bound to accede to the wishes of His Honor the Superintendent of the Southern District, respecting the survey of land not alienated by the aborigines, and observing that you are about to commence a survey of the Waikatea, in direct opposition to instructions I have received from him on this subject, I have the honor to inform you that I cannot sanction, by my presence, proceedings so opposed to the wishes of the Government.

I have, &c.,


John Jermin Symonds, P.M.

Enclosure 5 in No. 5.

Mr. F. Tucket, Agent, New Zealand Company, to Mr. J. J. Symonds, P.M.

Sir,—

Of Waikatea, 22nd April, 1844.

In reply to your second letter of the 22nd instant, I beg to state that I disclaim having expressed any intention of acting in opposition to the wishes of His Honor the Superintendent of the Southern District, or of causing any survey of lands to be made here, or elsewhere, prior to the acquisition of such lands by purchase. Mr. Bernard was instructed by me to ask permission of the most competent and industrious proprietor here to make a survey of this port and roadstead, and to acquaint you, in the event of his obtaining such permission, and then to execute such a survey.

He assures me that he strictly fulfilled these instructions, but that he was deterred from proceeding to execute a survey by your expression of unequalled disapprobation of such proceedings,
and your avowed determination to withdraw from this expedition (for the selection and acquisition of a district for the future settlement of New Edinburgh) in the event of his proceeding to execute the survey already referred to.

As it will be my indispensable duty to give him similar instructions in reference to the port of Otago, and all other ports, which I may subsequently visit in prosecution of the objects of my present expedition, I can only express my sincere regret that our duties respectively should be so incompatible as to render it necessary for you to withdraw from the further sanction of your presence.

I have &c.

J. J. Symonds, Esq.

FREDERICK TUCKETT,
Agent for the New Zealand Company.

Enclosure 6 in No. 5.

His Honor M. Richmond, Superintendent, to Mr. W. Wakefield, Principal Agent of the New Zealand Company.

Sir,—

I do myself the honor to transmit, for your information a letter I received this morning from Mr. Symonds, the officer selected by His Excellency the Governor to superintend and assist in the acquisition of land by the New Zealand Company in New Munster, together with a correspondence which has taken place between him and Mr. Tuckett, the Agent appointed by you to conduct the purchase, occasioned by the latter persisting in landing instruments for the alleged purpose of surveying the port of Waikawatu. As the Government representative considered the act of conducting the survey on shore, without giving him an opportunity of ascertaining if it was objectionable to the Natives, to be in direct opposition to the spirit of his instructions, he remonstrated with Mr. Tuckett on the impropriety of such a proceeding, which was so far disregarded, that he avowed his purpose of continuing the same system at "Otago," and every other port they might touch at. Mr. Symonds, therefore, rather than sanction such measures by his presence, withdrew from the party and returned to Wellington.

As Mr. Tuckett will have completed his tour before it is possible he can receive any further instructions, the responsibility must rest upon him of any consequences that may result from carrying on measures so liable to misconstruction by the Natives, and which may probably frustrate the objects of his mission.

I conclude you will soon be made acquainted with the site the Company's Agent considers most eligible for the new settlement, when Mr. Symonds will be ready to comply with his instructions; but as the purchase must be complete before he can furnish his report to His Excellency, I would suggest that a sufficient sum of money be forwarded by the same vessel that conveys him, to enable the Company's Agent to affect this satisfactorily, which it appears, from Mr. Symonds's letter, Mr. Tuckett is not at present in a position to accomplish.

I have &c.

Wm. Wakefield, Esq.

M. Richmond,
Superintendent.

Enclosure 7 in No. 5.

Mr. W. Wakefield to His Honor the Superintendent of the Southern Division of New Zealand.

Sir,—

I have the honor to acknowledge the receipt of your letter of the 2nd inst. acquainting me with the return to Wellington of Mr. Symonds, the officer charged by His Excellency the Governor to superintend and assist in the purchase of land for the projected settlement of New Edinburgh, in New Munster, in consequence of Mr. Tuckett, the Agent of the New Zealand Company, having directed some partial survey of the roadstead at Waikawatu, which the former did not consider himself authorized by your instructions to him to sanction by his presence, and causing copies of a correspondence between these gentlemen.

While I regret exceedingly that any misunderstanding should have arisen which may operate the accomplishment of the objects of the expedition for the acquisition of a suitable location for the proposed settlement, I do not think it necessary to advert to the subject of difference further, than to express my confidence that Mr. Tuckett was conscientiously impressed with the importance of the steps he adopted in order to enable him to detail the comparative merits of the ports he visited, and born in mind the express permission you gave verbally at the interview with which you favoured us on the eve of his sailing from Port Nicholson, that partial surveys of harbours might be made, provided the resident Natives did not object to them.

I have directed that a copy of the letter which Mr. Kelham addressed to Mr. Tuckett in my absence, on the propriety of his obtaining Mr. Symonds's express sanction to any operations he may consider requisite to determine the relative qualities of places before the work is proceeded with, if such necessity again arises, should be delivered to you, and I shall communicate to Mr. Tuckett my entire concurrence in the sentiments expressed in it.

Mr. Kelham is instructed by me, as soon as Mr. Tuckett has made his report of the site he may select for the settlement, to intimate to him the amount of the purchase money of the land, or such goods as the Natives may desire of the same value, according to the information he may receive from Mr. Tuckett respecting the mode of payment preferred by them, and to acquaint you and Mr. Symonds with the arrangement he may make for me on behalf of the Company, with a view to the accomplishment of the desired object in a satisfactory manner to all parties.

I have &c.

W. Wakefield.

Southern Division of New Zealand.
Sub-Enclosure to Enclosure 7 in No. 5.

Mr. J. KEELAM to Mr. F. TUCKETT, Acting Agent for New Edinburgh.

Sir,— Wellington, New Zealand, 1st May, 1884.

In the absence of Colonel Wakefield, who has proceeded to Taranaki, I reply to your communications up to 22nd April, received this morning by the "Scotia."

It appears that an obstacle to the well-working of your important undertaking has arisen from a difference of opinion between you and Mr. Symonds, respecting certain preliminary surveys, and that this has induced him to leave the scene of operation and return to Wellington. This difference seems to relate, not to the expediency of the surveys as proposed by you, but to the mode of commencing them, and wherein, perhaps, Mr. Symonds may not have been sufficiently consulted.

From a conversation I have had this morning with Major Richmond, taken in connection with the statement he has received from Mr. Symonds upon the subject, it would appear that although the letter replied officially to you in his letter of the 22nd April, quoting his instructions from the Superintendent, that no survey was to be proceeded with until he was satisfied that the land had been alienated by the aborigines, and purchased through him on behalf of the Company, yet that such instructions are not to be literally construed as depriving him of all discretionary power. I also understand from Major Richmond that Mr. Symonds is authorised to permit any surveys that may be preliminarily necessary for fixing upon the site of the intended settlement, provided he is satisfied they may be made without causing irritation or uneasiness in the mind of the Natives.

I sought, moreover, to inform you that the Government, in according Mr. Symonds' assistance to the undertaking, do so upon the understanding that he is to be the sole judge of what proceedings, in respect of surveying, are calculated to irritate the aborigines. Under these circumstances, it seems to me that your operations must, if possible, be conducted so as to harmonise with Mr. Symonds' views, and that you would do well to consult him upon all occasions, so as to obtain his cordial cooperation.

In conclusion I can only say that I have done my best to express Colonel Wakefield's sentiments, with which frequent consultations with him on the subject of the new settlement, make me fully acquainted.

I have, &c.,

FREDERICK TUCKETT, Esq.

J. KEELAM.

Enclosure 8 in No. 5.

His Honor M. RICHMOND, Superintendent, to Mr. J. J. SYMONDS, Police Magistrate, Wellington.

Sir,— Wellington, 18th May, 1884.

Having referred your letter of the 1st instant to the Principal Agent of the New Zealand Company, I have now the honor to enclose a copy of a communication addressed to Mr. Tuckett, together with two extracts from letters, which will be delivered to him by Mr. Daniel Wakefield, who is commissioned by his brother to proceed with you to New Munster.

As you are hereby directed either to suspend all further negotiations between the New Zealand Company's Agent and the Natives for the acquisition of the land until you again communicate with me, or to send your authority as Police Magistrate to enforce obedience to your instructions (which can easily be effected by sending in special constables from the crew of one of the vessels at Otago), whichever mode in your opinion will be best adapted to meet the emergency, and maintain a friendly intercourse with the Natives.

I have, &c.,

J. J. SYMONDS, Esq.

M. RICHMOND, Superintendent.

Enclosure 9 in No. 5.

His Honor M. RICHMOND, Superintendent, to Mr. W. WAKEFIELD, Principal Agent of the New Zealand Company.

Sir,— Wellington, 20th May, 1884.

I do myself the honor to acknowledge the receipt of your letter of the 6th instant, and as you mention that you had communicated to Mr. Tuckett your entire concurrence in the sentiments expressed in Mr. Kelvin's letter to him, there would have been no occasion for further correspondence on the subject, were it not for the least induction you appear to put upon the proceedings of your agent, and the manner in which you dwell on the qualified permission I gave for partial surveys of ports, as shown by the following extract from your letter:— "I do not think it necessary to advert to the subject of difference, further than to express my conviction that Mr. Tuckett was conscientiously impressed with the importance of the steps he adopted in order to enable him to draft the comparative merits of the ports he visited, and here in mind the express permission you gave verbally at the interview with which you favoured us on the eve of his sailing from Port Nicholas, that such partial surveys of harbours might be made, provided the resident Natives did not object to them."

It is therefore incumbent on me to bring to your recollection that at the interview to which you allude, I positively prohibited Mr. Tuckett from proceeding with any survey until the land had been alienated by the Natives, and on being asked by him if I would consent to partial surveys of ports, provided it was not objectionable to the resident aborigines, my answer was that every necessity could be placed on Mr. Symonds' discretion, who, having been a surveyor, was competent to judge when such a measure was necessary, and that I could offer no objection, provided he first ascertained that the
Habives were not unfavourable to it, and gave his permission. I distinctly repeated several times, in your presence and when you left me, "but nothing must be done without the sanction of the Government Officer." All this was communicated to Mr. Symonds, who was prepared to act upon it, but Mr. Tuckett never thought proper either to consult him or afford an opportunity of learning what sensation such a proceeding was likely to create. Last, therefore, you should have been equally ignorant in expressing to Mr. Tuckett your sense of his conduct, or that he may disregard your concurrence in what Mr. Kelham has written, I have considered it necessary, in order to guard against the peace of the country being again disturbed, and that no misconception whatever may in future exist, to furnish Mr. Symonds with the additional instructions, of which I enclose a copy, as your brother, Mr. Daniel Wakefield, has been commissioned by you to proceed to New Muster, and is prepared with funds to affect the purchase of the land. I have directed Mr. Symonds to return by the same conveyance (the "Scottia," which sails to-day), in order that no delay may take place, and every facility be afforded to the Company to complete their arrangements for the reception of the first emigrants for the new settlement, whose early arrival may be expected.

I have, &c.,

M. RICHMOND.
Superintendent.

No. 6.

His Honor M. RICHMOND, Superintendent, to the Hon. the COLONIAL SECRETARY:

Wellington, 11th July, 1844.

I have the honor to transmit a letter from Mr. Symonds, stating his reason for again returning to Wellington from New Muster without having effected the object of the mission intrusted to him by His Excellency the Governor, together with copies of a long-handled correspondence which has taken place on the subject.

Having acquainted the Principal Agent of the New Zealand Company with my determination not to allow the Government Officers to hold further communication with Mr. Tuckett, he declared his intention to proceed to Otago (the site selected for New Edinburgh) and conduct the purchase himself. I therefore directed Mr. Symonds to carry out His Excellency's instructions, conjointly with him, instead of the Agent with whom he had hitherto held intercourse.

After the manner Mr. Tuckett expresses himself in his letter to Mr. D. Wakefield of the 18th ult., and the construction put by the Principal Agent on the qualified permission I gave for the partial survey of ports, it will be satisfactory to His Excellency to read the accompanying letters from two disinterested persons who happened to be present at the interview Colonel Wakefield and Mr. Tuckett had with me previous to the departure of the latter from Wellington.

Mr. Wing is master of the vessel which was chartered by the Company for the expedition.

I have, &c.,

M. RICHMOND,

The Hon. the Colonial Secretary.
Superintendent.

Enclosure 1 in No. 6.

Mr. J. SYMMONDS, P.M., to His Honor the Superintendent of the Southern Division.

Wellington, 29th June, 1844.

I have the honor to report to you my arrival here this day from Otago, where I proceeded to superintend and assist the New Zealand Company's Agent in effecting the purchase of land from the aborigines, for the site of the settlement of New Edinburgh.

The most discouraging and discouraging, Mr. Tuckett, the New Zealand Company's Agent, compelled me to resort to this measure, which I adopted after mature deliberation, considering it impracticable to carry into effect the commands of His Excellency the Governor, which the accompanying correspondence will, I trust, suffice to substantiate.

I have, &c.,

His Honor the Superintendent,

JOHN JENKINS SYMMONDS, P.M.
Southern Division.

Enclosure 2 in No. 6.

Mr. F. TUCKETT to Mr. D. WAKEFIELD.

Otago, 18th June, 1844.

I beg you will communicate to the Government representative J. J. Symonds, Esq., that I wish to effect a purchase of the 100,000 acres allowed for the settlement of New Edinburgh, in a district interject between the harbour of Otago and the South Headland (Tokata) of Mohaka Bay (Karoro), the precise limits of such 100,000 acres to be defined hereafter on examination of an actual survey; the reserve in such limits, if any, are required to be defined by the sellers. It would greatly facilitate a clear understanding with the present proprietors, if a continuous block of land, equal to about twelve miles in its extreme breadth, in a coast line about one mile west by compass, might be acquired.

In the accompanying plan of my route, such a block of land is indicated in the space colored red and green; the former represents the land I would survey and subdivide into sections, the latter that which I consider insalubri for occupation. The boundaries, as nearly as I can define them in words, are along either shore of Otago Harbour, from the entrance to the head, the summit ridge from which the water flows to the harbour, or, if preferred, any mile back from the shore of the harbour, of which, on an average, not more than half a mile would be available.

Proceeding inland to the head of the Taieri Valley, I would propose the adoption of the same natural boundary of the summit of the ridge from whence the waters flows south-east and south-west to the
ocean by the valley of the Kalakai or Green River, and the plain of the Tairai; the same inland boundary (summit ridge) on the west of the Tairai and Tokamararo Plains to the back of the River Makan, from thence continuing the western boundary a straight line from the upper extremity of the survey of three miles up the valley of the Makan to the head of the Farm; from the head or source of the Farm a south-western boundary to the bed of the stream called Karoro, to the sea shore, along the sea shore from one mile north-west of the head of Otago Harbour to the south headland of Molyneux Bay or Karoro, the eastern boundary is the ocean, on which frontage the land proposed to be subdivided into sections is coloured red, nowhere extending inland more than one mile.

Remarks on the District.

Immediately south of the mouth of the Karoro, Molyneux Bay, on the sea shore, three or four good houses have been erected, two of which are occupied, one by Mr. White, the other by Mr. Russell; the former the agent of some party in Sydney, the latter as proprietor of land which he purchased from the same party in Sydney.

Mr. White has cleared and partially cultivated about 30 acres of land; Russell less than half that quantity; they have no acknowledged claim.

Immediately north of the mouth of the Karoro, also on the sea shore, reside a few Maoris, viz., Toki, the widow of Taku, formerly the chief of Karoro; Makawai, a young woman; Makou and Touwere aged men; Kaki-kaki and Tobih, young men; also three children. They have lately erected some new houses of improved construction, and have a few acres of land adjoining under cultivation. These, with Te Raki and Kuru, of the Tairai, who reside at the Tairai, are the only aboriginal residents; Tuwhakaiti was born on the banks of the Mataura, and considers himself as almost sole proprietor.

Another tribe of Maoris once occupied this district, and were very numerous, but exceedingly unworthily; they were rapidly exterminated by the present power, the Pakeha, and this within the present century. I wish it to be clearly stated in the deed of purchase, or clearly explained to the Maoris and recorded, that the names of such Maoris as are now actually resident and occupiers of land within the district described, and that other Maoris cannot, at the date of the purchase, reside within the district, excepting on such land as may be specially reserved for the present residents or others.

The two clearings of Te Raki are near the mouth of the Tairai; the other, on the plain on the east bank of the river, I have not colonized, supposing he would not part with them; otherwise, the latter I should like to acquire. The Native proprietors at Otago are, I believe, known to Mr. Symonds. I do not wish to acquire any of their rental places of residence at the entrance of the harbour; but of a point occupied as a whaling station, and hence inland on the east side of the harbour, on which many Europeans reside, I consider it important that I should be put in possession, either by the Magistrate or the aboriginal proprietors. I request you will also communicate with Mr. Symonds on another subject. The practice of squatting on lands purchased by the New Zealand Company has been a source of much trouble in all the former settlements; here, unless some rigorous measures are pursued, the evil will be greatly increased on the arrival of adventurers prior to the colonists. I have already written to the Principal Agent of the New Zealand Company, requesting that an advertisement be inserted in the Nelson Examiner and Wellington Gazette, cautioning all persons that no employment will be given to any by the Company’s Resident Agents who erect houses on the lands purchased by the Company for the settlement of New Edinburgh prior to the distribution of the sections. Colonel Wakefield requests me to avail myself of your assistance in communicating with Mr. Symonds respecting the purchase of land, which I do with great pleasure, after the very unpleasant termination of my previous intercourse with him; but Colonel Wakefield seems not to authorize me to request you to prepare a deed of purchase, except in the event of the present purchase being of the European race; in his words, “and if necessary, by preparing proper documents for binding white claimants to any bargain you may have to make for the cession to the Company of their lands as allowed by the Commissioners.”

I desire also to be informed, as early as convenient, when it will suit Mr. Symonds to carry into effect his proposed inspection, with the present proprietors, of the district which I desire to purchase for the New Zealand Company, and have delineated as accurately as I can in the accompanying sketch, in order to make any arrangements for its inspection and title. By my representatives, to accompany him, the former being conversant with the district but about to return to Nelson unless I should have occasion for his services on the contemplated excursion. It is also my desire to attempt a negotiation with the Natives for the purchase as early as possible, that I may see what chance there is of a reasonable understanding, to forward my despatches to and obtain from Wellington the money or goods required for completing the purchases.

As soon as I have a warrant in my hands, respecting the title of the purchase of land for the Scotch settlement, I will return to you the correspondence of Major Richmond and others, sent through you for my information, as my ideas of propriety and truth suggest.

In the interim, I beg to assure you that I regard him as little as Mordecai did Haman; but, considering the insidious nature of the information, I cannot suppress the expression of my surprise that it should have been communicated to me by any one acting in the service of the New Zealand Company. I have, &c.,

D. Wakefield, Esq.

As Agent for New Edinburgh.

No. 7.

Mr. J. J. Symonds to the Superintendent of the Southern Division.

Sirs,— Wellington, 2nd September, 1844.

In accordance with the instructions of His Excellency the Governor, I proceed to New Munster, or the Middle Island, where, having ascertained the names of all the chiefs who laid claim to the district in the vicinity of Okakai, I now request you to assemble at that place, in order to afford me an opportunity of judging of the merits of the several claims, and of carrying on my negotiations in the districts proposed to be acquired. I found that the seat of councils between Okakai and Tairai was situated jointly by the Natives, Taiwhi, Taiora, and Karori, on behalf of their...
several families and dependants, and that the Matasa district, from Taieri to Tokate, belonged to Tahawaki and his immediate connections, as marked in the sketch of the boundaries which I have the honor to transmit.

In order to remove all grounds of discussion hereafter between the European settlers and the aborigines on the subject of the purchase, I deemed it expedient that the boundaries should be clearly defined and formally pointed out. Knowing from previous observations how much importance the Natives attach to this form, in all transactions of the kind amongst themselves, and having mentioned my views to the principal claimants, they readily admitted the expediency of adopting such a course, and accordingly deputed four of the younger chiefs to accompany the Principal Agent of the New Zealand Company and myself on the survey. The result was to include 150,000 acres of the most available land, also to obtain natural boundaries. I sanctioned the extension of the limits on the express condition that the Agent of the New Zealand Company should confine himself to the selection of such land, as the Crown's right of pre-emption had been waived in favour of the said Company, receiving at the same time an acknowledgment to that effect from Colonel Wakefield, which is annexed to the deed.

The Natives having expressed their anxiety to make some special provision for the future benefit of themselves and children, by reserving certain portions of land within the limits of the purchase which they now passively occupy, the management of which, to a certain extent, they were desirous of retaining in their own hands, I approved of their selections, four in number, three of which, viz., Onseta, Pakekura, and Taiasi, I personally inspected, accompanied by Colonel Wakefield, Mr. Clarke, and the most influential chiefs, and saw the boundaries pointed out and marked off. With regard to the fourth, at Karoe, I suggest to Mr. Wakefield that he should retain a portion of land on that river, where the Natives consider they had, in the boundaries, the utmost limits of which should be hereafter defined by the agent appointed by His Excellency the Governor for that purpose, as I find it impracticable to visit that part of the purchase without materially delaying the proceedings, and exhausting the patience of the Natives.

I pursued this course as regards Native reserves from the conviction that the system hitherto adopted in this country is not calculated to lend the comprehensiveness of the purpose, and at the suggestion of Colonel Wakefield I left the further choice of reserves—namely, the ten thousand acres of land owned by the New Zealand Company—to be decided by His Excellency the Governor, without making any express stipulation with the Natives on the subject.

I have the honor to enclose the duplicate of the document (Deed of Sale, 21st July, 1844) by which the Natives have conveyed all their right, title, and interest in the district of Taieri, and Matasa to the New Zealand Company, accompanied by a certified translation.

I also beg leave to observe that before this deed was formally read over and signed by the Natives I requested Mr. Clark to explain to them the nature of the conveyance, to the effect that in disposing of their land they for ever surrendered their interest and title to such land; that their consent to sell was binding on their children as well as themselves; that they should remove from any portion thereof occupied by them, and confine themselves exclusively to their reserves, and never expect to receive further compensation; that they should not alienate or let any portion of their reserves without having previously obtained the sanction of His Excellency the Governor; to all which stipulations they unanimously consented.

The boundaries were at the same time frequently explained to them by Mr. Clarke in my presence, and repeated by them to each other, and they stated that they fully understood all the terms and conditions of the purchase, as specified in the deed.

The land had been surveyed and divided over in Native and in English, and signed by the most influential chiefs and proprietors, the purchase money, to the amount of £2,000, was amicably divided among the different families, and they all expressed themselves fully satisfied with the whole transaction.

As the site of the township had not been decided upon previous to my leaving Otaio, I was unable to comply with your instructions regarding the reserves for the purposes of Government, but confined myself to the selection of such points as I deemed proper for the purposes of fortifications, signal stations, &c., which are marked red in the accompanying sketch (No. 2). I proposed reserving both the islands in the harbour; but as Colonel Wakefield appeared disinclined to code the larger of the two, I considered it more prudent to refer the matter for your consideration, and would strongly recommend that it be reserved, as from its commanding position and proximity to the intended depot it will become most eligible for the purposes of Government.

I beg to enclose, for the consideration of His Excellency the Governor, the accompanying documents transmitted to me by certain settlers named at the foot, the justiciary of whose claims the Natives allowed before myself and Mr. Clark. The first named, George Wilhur, is settled at Karoe, and is anxious to obtain a title to the land (20 acres) which he has brought into cultivation; the four next claim small portions situated in the Natives reserve at Otaio, none of which exceeded two acres; the last named claims a portion of land at Waihonnui (about two acres), and bears an excellent character.

In conclusion, I feel it incumbent upon me to call the attention of His Excellency the Governor to the present position and state of the aboriginal population at the different settlements I have visited in prosecution of the duties intrusted to me. From their intercourse with Europeans, chiefly whalers, they have habituated themselves to their customs, and I regret to say that intemperance is the most predominant vice to which they are addicted, added to which, from the introduction of measles and other foreign diseases, owing to the absence of the simplest remedies, they are rapidly disappearing, and I fear it is only a question of time when they will all fall victims to the progress of the virulent epidemics so prevalent among them, the whole aboriginal race, from Port Cooper to Ruapuke, will shortly become extinct. I am the more confirmed in this opinion, not only from personal observation, but by the melancholy forebodings of the chiefs themselves.

I have, &c.

The Superintendent of the Southern Division.

[Signature]

[Stamp]
Transcription:

Know all men by these presents, that we, the chiefs and men of the Ngatiahu Tribe in New Zealand, whose names are by us set forth, on this 31st day of July, in the year of our Lord, 1844, to give up, sell, and abandon all right and title to the lands, which are by us described, as being situated in the said New Zealand Company, on and about the 2.00 acres of land in the district of the said Company, called Otakou, Kakaaroa, Te Karoro, and Te Kamaro. This is to certify that the said lands are subject to the laws of the said New Zealand Company, and that we, the said Ngatiahu Tribe, do hereby release and forever quit claim to the said lands, and that we do hereby give and grant to the said New Zealand Company, and their successors and assigns, all and singular the said lands, and every part and parcel thereof, for the sum of $2,400.

John Tuhawaki.
Tawaroa.
Koraitai.
Korako.
Kakaaroa.
Te Hoki.
John Tuhawaki, for Upi.
Kiaau.
Horomona Poho.
Pohaka.
Te Karoro.
Kakaaroa.

Witnesses:

John Jermyn Symonds, P.M.
Frederick Tuckett.
George Clarke, jun., Protector, Aborigines.

David Scott.

I, William Wakefield, the Principal Agent of the New Zealand Company, do undertake to select 160,000 acres to which the Crown's right of pre-emption has been waived in favour of the said Company, from the block of land described in the deed to which this is annexed, as soon as such land shall have been surveyed, leaving the unappropriated residue to be dealt with in such manner as His Excellency the Governor shall deem fit.

Oamaru, 29th July, 1844.
Sketch map showing the
New Edinburgh Purchase and Reserve for Natives

The map annotations are printed in the margin:

1. The chain of reserves begins (margin)
2. The chain of reserves (margin)

Scale at 3 miles

[Map details and annotations]
No. 9.

Dispatch from Governor Grey to the Right Hon. Lord Stanley.

My Lord,—

Wellington, 14th April, 1848.

In reference to those portions of your Lordship's Despatch No. 28, of the 15th of August last, which directed me to notify that I would for the present waive, in favour of the New Zealand Company, and of no other person, the Crown's right of pre-emption of all lands and rights belonging to the Natives within those portions of the Northern and Middle Islands which are usually termed the Company's districts, as originally defined in the arrangement with Lord John Russell, I have the honor to enclose the copy of a Proclamation which, in fulfilment of those instructions of your Lordship, I issued upon the 21st of February last.

I beg further to state, in reference to your Lordship's directions, contained in the same Despatch, that I should make the Company an unconditional grant of the 400,000 acres purchased at Otago, excluding, of course, the land reserved to the Natives. I have to report that I directed the Crown Solicitor, after conference with the New Zealand Company's Principal Agent, in order that no misunderstanding might occur, to prepare such a grant for my signature, and that the details of the grant having been agreed upon, and the document itself prepared, it was yesterday formally executed by me.

I have, &c.,

The Right Hon. Lord Stanley.

G. Grey.

Enclosure in No. 9.

Proclamation by His Excellency George Grey, Esq., Lieutenant-Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

In order to facilitate the acquisition of land by the New Zealand Company under the arrangement made with Her Majesty's Government, and by authority of Her Majesty's Principal Secretary of State for the Colonies, I, the Lieutenant-Governor, do hereby proclaim, that until further notice, to be duly given, I will, in favour of the New Zealand Company, and of no other person or order of persons whatever, waive the right of pre-emption of Her Majesty, her heirs and successors, of all lands and rights belonging to the Natives within such portion of the Northern and Middle Islands as are commonly known as the Company's districts.

Given under my hand and seal at Wellington, this twenty-first day of February, in the year of our Lord, one thousand eight hundred and forty-six.

G. Grey,

Lieutenant-Governor and Commander-in-Chief.

God save the Queen!
# CORRESPONDENCE RELATIVE TO THE NATIVE RESERVES IN THE TOWNS OF DUNEDIN AND PORT CHALMERS.

## SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Name of Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dec. 9, 1853</td>
<td>Colonial Secretary</td>
<td>Commissioner, Crown Lands, Otago</td>
<td>Asking for plans of certain lands proposed to be set apart for some Natives at Dunedin.</td>
</tr>
<tr>
<td>2</td>
<td>April 18, 1853</td>
<td>Commissioner, Crown Lands, Otago</td>
<td>Civil Secretary</td>
<td>Forwarding plans, and suggesting purchase of an allotment.</td>
</tr>
<tr>
<td>3</td>
<td>June 6, 1853</td>
<td>Civil Secretary</td>
<td>Commissioner, Crown Lands, Otago</td>
<td>Acknowledging receipt of above, and approving suggestions.</td>
</tr>
<tr>
<td>4</td>
<td>Jan. 11, 1854</td>
<td>Government Surveyor</td>
<td>Ditto</td>
<td>Pointing out that no list of reserves in Dunedin has been made, and enumerating those put aside for special purposes.</td>
</tr>
<tr>
<td>5</td>
<td>Nov. 9, 1854</td>
<td>Colonial Secretary</td>
<td>Ditto</td>
<td>Acknowledging receipt of conveyance of section 401, Port Chalmers.</td>
</tr>
<tr>
<td>6</td>
<td>Dec. 4, 1854</td>
<td>Colonial Secretary</td>
<td>Commissioner, Crown Lands, Otago</td>
<td>Suggesting that certified plans of reserves should be sent to his office.</td>
</tr>
<tr>
<td>7</td>
<td>June 6, 1855</td>
<td>Colonial Secretary</td>
<td>Acting Commissioner, Crown Lands</td>
<td>Forwarding certified plans of certain reserves.</td>
</tr>
<tr>
<td>8</td>
<td>Jan. 28, 1855</td>
<td>Supervisor of Otago</td>
<td>Colonial Secretary</td>
<td>Asking for the Dunedin Reserves to be granted to the Superintendent as a Corporation.</td>
</tr>
<tr>
<td>9</td>
<td>Aug. 24, 1855</td>
<td>Colonial Secretary</td>
<td>Acting Commissioner, Crown Lands</td>
<td>Asking for plans, &amp;c., of reserves mentioned in above letter.</td>
</tr>
<tr>
<td>10</td>
<td>Sept. 15, 1855</td>
<td>Supervisor of Otago</td>
<td>Commissioner, Crown Lands</td>
<td>Forwarding maps, &amp;c.</td>
</tr>
<tr>
<td>11</td>
<td>Nov. 21, 1855</td>
<td>Colonial Secretary</td>
<td>Ditto</td>
<td>Refusing grant, and stating that such grant must be for a specific purpose.</td>
</tr>
<tr>
<td>12</td>
<td>Nov. 6, 1855</td>
<td>Colonial Secretary</td>
<td>Ditto</td>
<td>Stating that the Governor on the subject of the reserves, enlisting notes read to him by the Provincial Secretary.</td>
</tr>
<tr>
<td>13</td>
<td>Jan. 21, 1856</td>
<td>Supervisor of Otago</td>
<td>Colonial Secretary</td>
<td>Stating that the specific object for which a grant is wanted must be expressed.</td>
</tr>
<tr>
<td>14</td>
<td>Feb. 11, 1856</td>
<td>Colonial Secretary</td>
<td>Acting Commissioner, Crown Lands</td>
<td>Enclosing a list of specified purposes.</td>
</tr>
<tr>
<td>15</td>
<td>March 6, 1857</td>
<td>Supervisor of Otago</td>
<td>Colonial Secretary</td>
<td>Forwarding Crown Grants.</td>
</tr>
<tr>
<td>16</td>
<td>June 28, 1857</td>
<td>Colonial Secretary</td>
<td>Acting Commissioner, Crown Lands</td>
<td>Informing the Commissioners their rules are being drawn up for them.</td>
</tr>
<tr>
<td>17</td>
<td>Dec. 7, 1851</td>
<td>Native Secretary</td>
<td>Commissioner, Native Reserves</td>
<td>Enclosing petition to Governor to lease reserves.</td>
</tr>
<tr>
<td>19</td>
<td>Feb. 13, 1862</td>
<td>Ditto</td>
<td>Colonial Treasurer</td>
<td>Forwarding a report of Native Reserves.</td>
</tr>
<tr>
<td>20</td>
<td>Feb. 13, 1862</td>
<td>Ditto</td>
<td>Commissioner, Crown Lands</td>
<td>Asking for money to pay a rate levied on reserve.</td>
</tr>
<tr>
<td>21</td>
<td>Nov. 29, 1862</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Further report concerning the lease of the Prince Street Reserve.</td>
</tr>
<tr>
<td>22</td>
<td>Jan. 24, 1863</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Demanding rate for footpath on reserve.</td>
</tr>
<tr>
<td>23</td>
<td>July 11, 1863</td>
<td>Clerk, Town Board, Dunedin</td>
<td>Commissioner, Crown Lands</td>
<td>Authorizing payment of rate.</td>
</tr>
<tr>
<td>24</td>
<td>July 27, 1863</td>
<td>Colonial Treasurer</td>
<td>Ditto</td>
<td>Authorizing payment of rate.</td>
</tr>
<tr>
<td>25</td>
<td>July 37, 1863</td>
<td>Colonial Treasurer</td>
<td>Commissioner, Crown Lands</td>
<td>Authorizing payment of rate.</td>
</tr>
<tr>
<td>26</td>
<td>July 17, 1863</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Sending in further matter of Dunedin Reserves should be locked into.</td>
</tr>
<tr>
<td>27</td>
<td>April 3, 1864</td>
<td>Hau, Mr. Dillon Bell</td>
<td>Mr. Clarke</td>
<td>Instructions to inquire into objections of Provincial Council of Otago to Native Reserves at Dunedin.</td>
</tr>
<tr>
<td>28</td>
<td>Oct. 24, 1864</td>
<td>Mr. H. T. Clarke</td>
<td>Native Secretary</td>
<td>Enclosing a memorial concerning the Prince Street Reserve.</td>
</tr>
<tr>
<td>29</td>
<td>Oct. 26, 1864</td>
<td>Commissioner, Crown Lands</td>
<td>Secretary, Crown Lands</td>
<td>Enclosing a memorial concerning the Prince Street Reserve.</td>
</tr>
<tr>
<td>30</td>
<td>Nov. 5, 1864</td>
<td>Colonial Secretary</td>
<td>Ditto</td>
<td>Forwarding Mr. Clarke's letters, and asking for information.</td>
</tr>
<tr>
<td>31</td>
<td>Jan. 3, 1865</td>
<td>Mr. Mantell</td>
<td>Attorney-General</td>
<td>Memoirs in suggesting the advisability of recording the Native title to certain reserves in Dunedin.</td>
</tr>
<tr>
<td>32</td>
<td>Feb. 15, 1865</td>
<td>Commissioner, Crown Lands</td>
<td>Colonial Secretary</td>
<td>Asking for definite instructions regarding the leasing of the reserves and the disposal of the rents.</td>
</tr>
<tr>
<td>33</td>
<td>Mar. 25, 1866</td>
<td>Colonial Secretary</td>
<td>Superintendent of Otago</td>
<td>Asking what claim the Provincial Government have on the reserve.</td>
</tr>
<tr>
<td>34</td>
<td>April 13, 1866</td>
<td>Superintendent of Otago</td>
<td>Colonial Secretary</td>
<td>Proceeding against the reserve being taken in trust for Natives.</td>
</tr>
<tr>
<td>35</td>
<td>April 18, 1866</td>
<td>Postmaster-General</td>
<td>Superintendent of Otago</td>
<td>Advising him of the steps being taken to secure the reserve for the Natives.</td>
</tr>
<tr>
<td>No.</td>
<td>Date</td>
<td>Writer</td>
<td>To whom Addressed</td>
<td>Subject</td>
</tr>
<tr>
<td>-----</td>
<td>------------</td>
<td>-----------------------------</td>
<td>-------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td>April 13, 1865</td>
<td>Superintendent of Otago</td>
<td>Postmaster-General</td>
<td>Giving reasons why the reserve belongs to the Corporation and not to the Native.</td>
</tr>
<tr>
<td>2</td>
<td>April 13, 1865</td>
<td>Postmaster-Genera...</td>
<td>Superintendent of Otago</td>
<td>Acknowledging receipt of above.</td>
</tr>
<tr>
<td>3</td>
<td>April 22, 1865</td>
<td>Superintendent of Otago</td>
<td>Postmaster-General</td>
<td>Forwarding documents in proof of claim of Province to the reserve.</td>
</tr>
<tr>
<td>4</td>
<td>June 8, 1865</td>
<td>Colonial Secretary</td>
<td>Superintendent of Otago</td>
<td>Asking for a copy of certain resolutions of the Provincial Council.</td>
</tr>
<tr>
<td>5</td>
<td>June 9, 1865</td>
<td>Colonial Secretary</td>
<td>Colonial Secretary</td>
<td>Enclosing a report of Select Committees of Provincial Council.</td>
</tr>
<tr>
<td>6</td>
<td>June 15, 1865</td>
<td>Mr. A. Cairns</td>
<td>Mr. A. Cairns</td>
<td>Suggesting an alteration in the Lease.</td>
</tr>
<tr>
<td>7</td>
<td>June 17, 1865</td>
<td>Under Secretary</td>
<td>Mr. A. Cairns</td>
<td>Acknowledging receipt of above.</td>
</tr>
<tr>
<td>8</td>
<td>June 19, 1865</td>
<td>Postmaster-General</td>
<td>Colonial Secretary</td>
<td>Memorandum on the subject of disputed property in Prince Street.</td>
</tr>
<tr>
<td>9</td>
<td>June 20, 1865</td>
<td>Native Secretary</td>
<td>Postmaster-General</td>
<td>Memorandum on the report of Provincial Council of Otago on Prince Street Reserve.</td>
</tr>
<tr>
<td>10</td>
<td>June 20, 1865</td>
<td>Native Secretary</td>
<td>Native Secretary</td>
<td>Answering the above.</td>
</tr>
<tr>
<td>11</td>
<td>July 19, 1865</td>
<td>Superintendent of Otago</td>
<td>Colonial Secretary</td>
<td>Legal process vs.</td>
</tr>
<tr>
<td>12</td>
<td>July 14, 1865</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Babington and Port Chalmers.</td>
</tr>
<tr>
<td>13</td>
<td>July 17, 1865</td>
<td>Colonial Secretary</td>
<td>Superintendent of Otago</td>
<td>Requesting that the question of the reserve be brought before the House.</td>
</tr>
<tr>
<td>14</td>
<td>Aug. 22, 1865</td>
<td>Chairman of Select...</td>
<td>Superintendent of Otago</td>
<td>Requesting that no Crown Grants be issued for the reserve until the House has considered the question.</td>
</tr>
<tr>
<td>15</td>
<td>Nov. 4, 1865</td>
<td>W. Ogilvie</td>
<td>Secretary for Crown Land</td>
<td>Offering copy of letter from Commissioner of Crown Lands, Dunedin.</td>
</tr>
<tr>
<td>16</td>
<td>Nov. 21, 1865</td>
<td>Colonial Secretary</td>
<td>Superintendent of Otago</td>
<td>Suggesting that the working of due trust in certain Crown Grants should be &quot;as a reserve for railways and gauges&quot;.</td>
</tr>
<tr>
<td>17</td>
<td>Dec. 26, 1865</td>
<td>Superintendent of Otago</td>
<td>Colonial Secretary</td>
<td>Requesting to know which Crown Grants have been granted to His Excellency's signature.</td>
</tr>
<tr>
<td>18</td>
<td>Jan. 25, 1866</td>
<td>Town Clerk, Dunedin</td>
<td>Colonial Secretary</td>
<td>Requesting that certain monies should be paid over to the City Council.</td>
</tr>
<tr>
<td>19</td>
<td>Feb. 30, 1866</td>
<td>Under Secretary</td>
<td>Town Clerk, Dunedin</td>
<td>Suggesting that there was no power to transfer state reserves on account of the Prime Minister Reserves either to the grants of the City Council.</td>
</tr>
<tr>
<td>20</td>
<td>Oct. 10, 1866</td>
<td>Colonial Secretary</td>
<td>Superintendent of Otago</td>
<td>Enclosing copy of letter from Hori Te Tai Te Taiore.</td>
</tr>
<tr>
<td>21</td>
<td>Oct. 20, 1866</td>
<td>Colonial Secretary</td>
<td>Colonial Secretary</td>
<td>Declining to try the validity of a Grant to Dunedin Reserve by a writ of amendment.</td>
</tr>
<tr>
<td>22</td>
<td>July 21, 1867</td>
<td>Hon. J. Hyde Harris and others</td>
<td>Ditto</td>
<td>Requesting that the State Reserve be paid into the Provincial Treasury.</td>
</tr>
<tr>
<td>23</td>
<td>July 23, 1867</td>
<td>Colonial Secretary</td>
<td>Hon. J. Hyde Harris and others</td>
<td>Agreeing to the payment of rents accruing from Dunedin Reserve.</td>
</tr>
<tr>
<td>24</td>
<td>July 24, 1867</td>
<td>Ditto</td>
<td>Superintendent of Otago</td>
<td>Agreeing to the payment of rents accruing from Dunedin Reserves, on certain conditions.</td>
</tr>
<tr>
<td>25</td>
<td>July 25, 1867</td>
<td>Superintendent of Otago</td>
<td>Colonial Secretary</td>
<td>Declining the proposal made by the Hon. the Secretary of State.</td>
</tr>
<tr>
<td>26</td>
<td>July 15, 1867</td>
<td>John Topi Pataki</td>
<td>His Excellency the Governor</td>
<td>Requesting that the right to the ownership of the Prime Minister Reserve may be tried in the Supreme Court.</td>
</tr>
<tr>
<td>27</td>
<td>July 16, 1867</td>
<td>Under Secretary</td>
<td>Mr. C. B. Laird</td>
<td>Refusing to grant the leave to institute legal proceedings by select justices.</td>
</tr>
<tr>
<td>28</td>
<td>July 27, 1867</td>
<td>Ditto</td>
<td>John Topi Pataki</td>
<td>Granting permission to John Topi Pataki to institute legal proceedings by select justices.</td>
</tr>
<tr>
<td>29</td>
<td>July 25, 1867</td>
<td>Hon. J. C. Richmond</td>
<td>Hon. Mr. Mantell</td>
<td>Informing his Excellency's agent to his petition.</td>
</tr>
<tr>
<td>30</td>
<td>July 25, 1867</td>
<td>Ditto</td>
<td>Hon. Mr. Mantell</td>
<td>Receiving his Excellency's assent to Petition.</td>
</tr>
<tr>
<td>31</td>
<td>July 27, 1867</td>
<td>Ditto</td>
<td>Hon. J. C. Richmond</td>
<td>Enclosing a copy of John Topi Pataki's petition.</td>
</tr>
<tr>
<td>32</td>
<td>Aug. 7, 1867</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Stating his willingness to ask on John Topi Pataki's behalf.</td>
</tr>
<tr>
<td>33</td>
<td>Aug. 19, 1867</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Concerning the loss of a writ of error.</td>
</tr>
<tr>
<td>34</td>
<td>Aug. 17, 1867</td>
<td>John Topi Pataki</td>
<td>His Excellency the Governor</td>
<td>Requesting that the enclosed petition of John Topi Pataki to His Excellency may be transmitted to the Right Hon. the Secretary of State for the Colonies.</td>
</tr>
<tr>
<td>35</td>
<td>Aug. 17, 1867</td>
<td>Ditto</td>
<td>Her Majesty the Queen</td>
<td>Requesting Her Majesty to use Her Royal authority to prevent the claims of his tribe to the Dunedin Prime Minister Reserve being extinguished or prejudiced by the legislation of the General Assembly of New Zealand.</td>
</tr>
<tr>
<td>36</td>
<td>Aug. 30, 1867</td>
<td>Hon. J. C. Richmond</td>
<td>Hon. Mr. Mantell</td>
<td>Declining to continue to prosecute the case of Topi's eviction.</td>
</tr>
<tr>
<td>37</td>
<td>Aug. 21, 1867</td>
<td>Hon. Mr. Mantell</td>
<td>Hon. J. C. Richmond</td>
<td>Enclosing further information on certain points alluded to in the above letter.</td>
</tr>
<tr>
<td>38</td>
<td>Aug. 23, 1867</td>
<td>Hon. J. C. Richmond</td>
<td>Hon. Mr. Mantell</td>
<td>Giving information required.</td>
</tr>
</tbody>
</table>
No. 1.

To the Colonial Secretary to the Commissioner of Crown Lands, Otago.

Colonial Secretary’s Office, Wellington, 9th November, 1852.

Sir,—

I have the honor to acknowledge the receipt of your letter of the 24th ultimo, requesting me to move His Excellency the Governor to grant to certain Natives who are in the habit of visiting the towns of Dunedin and Port Chalmers a small portion of land for the erection of houses for their accommodation at each of those places.

In reply I am directed by His Excellency to beg that you will be good enough at once to send up plans of the reserves which you recommend should be thus appropriated.

I have, &c.,

ALFRED DOWNTY,

Commissioner of Crown Lands, Dunedin.

No. 2.

To the Commissioner of Crown Lands, Otago, to the Civil Secretary.

Crown Lands Office, Dunedin, 19th April, 1853.

Sir,—

In reply to your letter of the 9th December ultimo, No. 2196, directing me to send up plans of such reserves at Dunedin and Port Chalmers as I would recommend for the use of the Natives, I have the honor to enclose two tracings.

1. The first (at Dunedin) shows the only suitable piece of land now vacant; although steep towards the water it has (at x on the tracing) a spot where the Natives could easily construct a house for their boats to lie.

2. The second (at Port Chalmers) includes about 11 acres of land so precipitous that almost the only available part for building is the triangular portion of sections 402 and 403, included by the dotted line on the tracing.

I would therefore recommend that section 402, tented on the Government Surveyor’s plan as part of the Church Reserve, to which it does not seem at all necessary, be made part of the Native Reserve. Section 401 could be purchased at from £20 to £25, and would give the Natives a small frontage for their boats and a good supply of fresh water. Westward of this the land is almost perpendicular.

I have, &c.,

WALTER MASTELL,

Civil Secretary, &c., Wellington.
No. 3.

The Civil Secretary to the Commissioner of Crown Lands, Otago.

Mr. Kettle, Government Surveyor, to the Commissioner of Crown Lands, Otago.

Sir,—

Mr. Kettle, Government Surveyor, to the Commissioner of Crown Lands, Otago.

No. 4.

Mr. Kettle, Government Surveyor, to the Commissioner of Crown Lands, Otago.

No. 5.

The Hon. the Colonial Secretary to the Commissioner of Crown Lands, Otago.

No. 6.

The Commissioner of Crown Lands, Otago, to the Hon. the Colonial Secretary.

Enclosure in No. 6.

Memorandum by Mr. Mantell.

NATIVE RESERVE, Otago.—I recommend the retention of the former appointment of Commissioners and the issue of a new Commission, consisting of Alfred Chisholm Stroud, David Scott, and the Reverend John Albert Fenton, M.A. The Commissioners are likely to be more called upon to exercise their powers, and the gentlemen named above are, I believe, too anxious for the welfare of the Maoris to neglect their interests.
PART of DUNEDIN

ENCLOSURE 1

HOUSES in Reserve

1 Smithy
2 Rev. T. Burns
3 J. Jones
4 Office of Magistrates
5 Capt. Cargill's office
6 Mr. Peter Broadfoot
7 Survey office
8 Office of Magistrates
9 Smithy & slaughter house
10 Mechanics Institute

Scale 5 chains to an Inch
If the town reserves at Dunedin and Port Chalmers have not already been granted, it were well to issue grants to the above-named Commissioners, in order that they may, by leasing them at once, obtain the funds so much required for Native purposes in the South.

As since this reserve was made some Emigration Barracks have been erected upon it by the Provincial Government, I recommend that the Superintendents be informed of the decision of the Government with respect to a grant of this land, and that, if granted, the Commissioners be instructed to give a lease of the portion so occupied to the Superintendent at the current rate.

A similar recommendation to the Commissioners may also be made with respect to part of the water frontage of the Port Chalmers Reserve, as I understand that His Honour wishes to acquire the use of the stream flowing through it (the only one at the port) for some public purpose.

4th December, 1861.

W. E. D. Mantell.

No. 7.

The Hon. A. Sinclair to the Acting Commissioner of Crown Lands, Otago.

Sir,—

Colonial Secretary's Office, Auckland, 5th June, 1855.

In accordance with the request contained in Mr. Commissioner Mantell's letter of the 4th December last, I have the honor to enclose herewith certified plans of certain reserves at Dunedin and Port Chalmers, as enclosed in his letter of the 13th April, 1853, to the Civil Secretary, in order that they may be duly recorded as approved by His Excellency.

I have, &c.,

The Acting Commissioner of Crown Lands, Otago.

Andrew Sinclair,
Colonial Secretary.

No. 8.

His Honour W. Carsull to the Hon. the Colonial Secretary, Auckland.

Sir,—

Superintendent's Office, Dunedin, 26th June, 1855.

With reference to "The Public Reserves Act, 1854," I have the honor to transmit a map of the Public Reserves in Dunedin, with schedule of descriptive boundaries, and have to request that His Excellency the Officer Administering the Government may be pleased to grant these reserves to the Superintendent of the Province as a Corporation, in terms of the said Act, and also to grant the land below high water-mark in the Upper Harbour of Otago.

As much as there are some specialities in the past history and existing circumstances of the Otago Settlement which it may be desirable to have in view, the Solicitor of the Province has drafted a form of grant with that object, which I do myself the honor to enclose for notice of His Excellency and the law officer who shall prepare the grant.

I have, &c.,

W. Carsull,
Superintendent.

The Hon. the Colonial Secretary, Auckland.

No. 9.

The Hon. the Colonial Secretary to His Honour the Superintendent, Otago.

Sir,—

Colonial Secretary's Office, Auckland, 24th August, 1855.

Referring to your letter of the 26th June last, No. 50, transmitting a map of the Public Reserves in Dunedin, with a schedule of descriptive boundaries, and requesting that these reserves might be granted to the Superintendents of the Province of Otago as a Corporation, in terms of the Public Reserves Act. I am directed by His Excellency the Officer Administering the Government to inform you that neither the map nor the descriptions added to have been received, and which it is necessary should be in possession of the Government before any steps can be taken towards complying with your wishes.

I have, &c.,

Andrew Sinclair,
Colonial Secretary.

His Honour the Superintendent, Otago.

No. 10.

His Honour the Superintendent, Otago, to the Hon. the Colonial Secretary.

Sir,—

Superintendent's Office, Dunedin, 13th September, 1855.

In my despatch of 26th June last, I had the honor to transmit a map of the Public Reserves in Dunedin, with application that His Excellency the Officer Administering the Government would, in terms of "The Public Reserves Act, 1854," be pleased to grant the same to the Superintendent of this Province as a Corporation, and also to grant the land below high water-mark in the Upper Harbour of Otago. I now transmit a parchment copy of the above map.

I further transmit a parchment copy of the Public Reserves of Port Chalmers, the reserve of Dunedin, with schedule of descriptive boundaries, in order that their being also granted as above, together with the land below high water-mark, may be of service.

These maps are in a fine case.

I have, &c.,

W. Carsull,
Superintendent.

The Hon. the Colonial Secretary, Auckland.
No. 11.

His Honor the SUPERINTENDENT, Otago, to the Hon. the COLONIAL SECRETARY.
Superintendent's Office, Dunedin, 21st November, 1855.

Sir,—

With reference to your despatch, No. 212, of 24th August, in which you state that the map of Public Reserves in Dunedin, with a schedule of descriptive boundaries, referred to in my letter of 26th June last, had not been received, I have the honor to state that upon inquiry I have reason to believe they must have been lost shortly after the date of your despatch.

Duplicate of the above map on parchment accompanied by letter of 13th September, No. 60. I have, &c.,

W. CARGILL,
Superintendent.

The Hon. the Colonial Secretary, Auckland.

No. 12.

The Hon. the COLONIAL SECRETARY to His Honor the SUPERINTENDENT, Otago.
Colonial Secretary's Office, Auckland, 6th November, 1855.

Sir,—

Referring to your letter of the 15th September, No. 50, forwarding plans of the Town of Dunedin and Port Chalmers, and requesting grants for the reserves described, I have the honor to inform you that the Public Reserves Act would not justify such a grant as that asked for by your Honor. Each grant should be of a specific piece of land and for a specific purpose.

I have, &c.,

ANDREW SUGDEN,
Colonial Secretary.

No. 13.

His Honor the SUPERINTENDENT, Otago, to the Hon. the COLONIAL SECRETARY.
Superintendent's Office, Dunedin, 21st January, 1856.

Sir,—

Referring to your letter of 5th November last, on the subject of the Public Reserves here, as also to my letter then acknowledged, and a prior one of June 20th June last, I have the honor to state that I brought the matter under the notice of the Governor at a personal conference with which His Excellency was pleased to honor the members of the Provincial Government.

At that meeting the enclosed notes were read by the Provincial Secretary, and it appeared to be the opinion of His Excellency that a conveyance might be granted in the way requested in my previous communications, and for the reasons stated in the notes. It would thus be granted for the specific purposes mentioned in Article 12 of the Terms of Purchase, quoted under the third head of the notes.

I have, &c.,

W. CARGILL,
Superintendent.

The Hon. the Colonial Secretary.

Enclosure in No. 13.

Notes on the subject of the LANDS RESERVED FOR PUBLIC PURCHASES in Otago.
1. The right of the inhabitants of the Province of Otago to the lands reserved for public purposes has the popularly, that it is a purchased right.
2. All the lands within the settlement and historic have been sold under the Terms of Purchase arranged between the New Zealand Company and the Otago Association, and on the cessation of the Company adopted by the Imperial Government and acted on in concert with the Association.
3. By Article 9 of the said Terms of Purchase it is expressly stipulated, that in laying out the chief town of the settlement, named Dunedin, due provision was to be made for public purposes, as fortifications, public buildings, sites for places of public worship and instruction, baths, squares, cemeteries, squares, parks, and other places for health and recreation; for all which instructions have already been given to the Company's Principal Agent.
4. The whole clause was framed in this general way to avoid stereotyping any specific part of said lands for a specific purpose, in consequence of some difficulties having been experienced in the older settlements from that course having been pursued—land having been set apart for a goal and other land for a garden, when it was subsequently found that their destination should have been reversed.
5. Most of the sales of land in this settlement were accordingly made after, in pursuance of that article, the reserved lands to which a conveyance has been requested were set apart, reserved, and destined for the above public purposes generally.
6. The community in this way acquired an undoubted right to them independently of the Public Reserves Act, 1854, which also confers a right.
7. And what the Superintendent in his despatch of 15th September, No. 50, requested was, that they might be conveyed in a manner corresponding to the stipulation in the Terms of Purchases, and its object and intention as above expressed.

No. 14.

The Hon. the COLONIAL SECRETARY to His Honor the SUPERINTENDENT, Otago.
Colonial Secretary's Office, Auckland, 11th February, 1856.

Sir,—

In reply to your Honor's letter of the 21st ultimo on the subject of Public Reserves at Otago, I am directed by His Excellency the Governor to state that, in a letter of the 15th September last,
Your Honor requested a grant in a particular form, under the Public Reserves Act, of certain Public Reserves at Otago. It may be quite true that the inhabitants of Otago may have a purchased interest in those reserves, and a claim to have them dealt with in a manner satisfactory to themselves, but this is not the question for the Governor's consideration, but it is whether such a grant as that asked for can be properly made under "The Public Reserves Act, 1854."

His Excellency is advised that he would not be justified in granting land "upon trust for the Public Service" generally; but the particular objects for which the grant is made, as for instance the site of a church or chapel, or cemetery, &c., should be specified.

It also appears from the "Notes on the subject of the Lands reserved for Public Reserves in Otago," that some of the land asked for by your Honor has been set apart for fortifications, and the granting of such is especially excepted from the power given to the Governor by the first section of the Act.

I have, &c.,

ANDREW STWICK,
Colonial Secretary.

No. 15.

His Honor the Superintendt., Otago, to the Hon. the Colonial Secretary.

Dunedin, 6th March, 1857.

Sir,—

With reference to your despatch, as per margin, on the subject of my letter of 26th June, No. 39, Feb. 11, 1857, transmitting a map of Otago, showing the Public Reserves that had been made by the New Zealand Company for the general purposes declared in section 13 of the "Terms of Purchase," and of my further letter of the 15th September following, enclosing duplicate of the same map in parchment, and requesting that those reserves might be granted in accordance to the Superintendt. as a Corporation, in order to be applied to the purposes set forth in the "Terms of Purchase."

In your said despatch you state that His Excellency is advised that he would not be justified in granting land upon trust for the public service generally, but that the particular object for which the grant is made, as for instance the site of a church or chapel, or cemetery, &c., should be specified.

I have therefore the honor to transmit a series of maps, eleven in number, in order that the lands may be severally granted as specified in the Schedule. And with respect to the last paragraph of your despatch, I have to observe that the reserves for fortifications, as shown on the original map of the town and harbour, are the islands at Port Chalmers, and the commanding position, Taiaroa's Head, at the mouth of the harbour.

With respect to the annexed schedule, I have the honor to propose that Nos. 4, 5, and 10 be granted to the Rev. Thomas Burns and William Cargill, as trustees on behalf of the Presbyterian Church of Otago, and each of Nos. 1, 2, 3, 6, 7, 9, and 11 to the Superintendt. as a Corporation, and No. 8 either to the same or such other party as may be named by the Governor.

I have, &c.,

W. C. CAROLINE.

The Hon. the Colonial Secretary, Auckland.

SCHEDULE.

1. Hospital Reserve (occupied).
2. Octagon Reserve (for public gardens).
4. Church Reserve (Church Hill, assigned by the Company for the first church of Otago, now about to be erected).
5. Church and School site (occupied by the Presbytery).
7. Provincial Government, for buildings, &c.
10. Manor of first church (occupied).
11. Reserve for general purposes (Provincial Government).

W. C.

No. 16.

[The Hon. the Colonial Secretary to His Honor the Superintendt., Otago.]

Sir,—

Colonial Secretary's Office, Auckland, 28th June, 1858.

With reference to former correspondence on the subject of grants to be made to your Honor of certain Public Reserves under "The Public Reserves Act, 1854," I have to transmit herewith the grants, duly executed, set forth in the annexed Schedule.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Otago.
<table>
<thead>
<tr>
<th>Register and No.</th>
<th>Date</th>
<th>Concession</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. No. 4, No. 110</td>
<td>28th June</td>
<td>His Honor the Superintendent in trust for an Hospital</td>
<td>2</td>
</tr>
<tr>
<td>&quot; No. 111</td>
<td>&quot;</td>
<td>Ditto for Masons</td>
<td>0</td>
</tr>
<tr>
<td>&quot; No. 112</td>
<td>&quot;</td>
<td>Ditto for Public Gardens</td>
<td>1</td>
</tr>
<tr>
<td>&quot; No. 113</td>
<td>&quot;</td>
<td>Ditto for Gaol</td>
<td>1</td>
</tr>
<tr>
<td>&quot; No. 114</td>
<td>&quot;</td>
<td>Ditto for Public Stores</td>
<td>1</td>
</tr>
<tr>
<td>&quot; No. 115</td>
<td>&quot;</td>
<td>Ditto for Mechanics’ Institute</td>
<td>0</td>
</tr>
<tr>
<td>&quot; No. 116</td>
<td>&quot;</td>
<td>Ditto for Church and School</td>
<td>0</td>
</tr>
<tr>
<td>&quot; No. 117</td>
<td>&quot;</td>
<td>Ditto for Principal Church</td>
<td>4</td>
</tr>
<tr>
<td>&quot; No. 118</td>
<td>&quot;</td>
<td>Ditto for Public Offices</td>
<td>0</td>
</tr>
</tbody>
</table>

No. 17.

The Native Secretary to the Commissioners for Native Reserves, Otago.

Gentlemen,—

The situation of the Government having lately been drawn by Mr. Mantell to various questions connected with the Native Reserves in the Province of Otago, they have had under their consideration the necessity of issuing rules under section four of the Native Reserves Act for the guidance of the Commissioners. As these rules will probably be forthwith framed and published, I am desired to convey to you in the meantime the wish of the Government that no step whatever may be taken by you, as to dealing with any of the reserves until the receipt of a further communication which will be made to you by the next mail.

In the meantime I am to request that you will at your earliest convenience transmit to me a statement in a tabular form of every transaction which has been entered into by yourselves as Commissioners under the Act.

I am, &c.,

T. H. Smith,
Native Secretary.

The Commissioner, Native Reserves, Otago.

No. 15.

The Commissioners of Crown Lands, Otago, to the Secretary for Crown Lands.

Str,—

I have the honor to forward a Petition addressed to His Excellency the Governor by certain merchants and other inhabitants of Dunedin, praying that they may be allowed to rent the Government reserves abutting upon the harbour from year to year until the reserves are required by the Government. The land referred to by the petitioners was in the original survey of the Town of Dunedin laid off in sections, and ran some distance into the water below high water-mark. But as it was deemed advisable by the New Zealand Company that there should be no exclusive privilege to the water frontage, that it should be made a public quay, the sections were withdrawn from the map and marked as reserved. Subsequently Mr. Mantell, the Commissioners of Crown Lands in Otago, selected a portion of the reserve, and recommended that it should be appropriated to the use of the Natives on the west side of Dunedin, an arrangement which I believe was sanctioned by His Excellency Sir George Grey. The Natives however never made use of the place, it being not suited to the purpose, but continued to land their produce at a small bay where the water is deeper, and upon which latter spot a stone house for their use has been erected by the General Government. A portion of the frontage reserve has been used by the Provincial Government for the erection of Immigrant Barracks, and for Police Barracks and offices. In all probability the whole of the reserve will be required by the Government for public purposes, as but few reserves have been made in Dunedin. In the meantime, and until the contemplated harbour improvements have been proceeded with, the increased traffic of the Province makes it absolutely necessary that the public should be allowed to use the reserve for landing timber and such like material. But in consequence of these being no rules for the guidance of the Commissioner of Crown Lands, disputes continually occur, and the Commissioner has continually to proceed against persons for the illegal occupation of Crown lands. I have therefore strongly recommended the reserves be let in sections not exceeding the eighth of an acre for a period not exceeding one year, and that the right to occupy be put up to auction at an upset price to be fixed by the Wait Land Board. Should His Excellency deem it advisable to comply with the prayer of the memorialists, I have the honor to request instructions at the earliest possible date.

I have, &c.,

W. H. Cutten,
The Hon. the Secretary of Crown Lands, Auckland.

Enclosure in No. 18.

Dunedin, Otago, New Zealand, 6th January, 1862.

To His Excellency Sir George Grey, K.C.B., Governor and Commander-in-Chief of New Zealand, the Petition of the undersigned Merchants and others, of Dunedin, in the Province of Otago, sheweth:

That the gold discoveries have caused a large influx of population to the Province. That the space in Dunedin available for business purposes has thereby become limited, and is not commensurate with the necessities of trade and the wants of the inhabitants.
That to supply in some measure those wants, petitioners pray that your Excellency may cause the Government Reserve, skirting the harbour, and lying between the Emigrants' Barracks and the new line of road to be made in continuation of Princess Street, to be let on lease (until required by the Government) from year to year, or on such other terms as the Provincial Government may deem advisable, for the purpose of storing timber, coal, and other things of a like nature. That whilst some sums would thus be collected, the revenue would be benefited.

That it is the practice of the Victorian Government to lease the reserves in Melbourne adjoining the river, where vessels discharge, for purposes similar to those before mentioned.

Your petitioners therefore respectfully solicit that your Excellency may be pleased to grant them similar advantages, and they will ever pray, etc.

John Jones,
and eighteen others.

No. 19.

The Commissioners of Crown Lands, Otago, to the Secretary for Crown Lands.

Sir,—

With reference to my letter of date 15th January, forwarding a memorial from certain residents and others resident in Dunedin, praying that the unoccupied reserve in the town of Dunedin might be let, I have the honor to report that having received instructions from the Honorable the Colonial Treasurer to comply with the prayer of the memorialists, the reserve on the east side of Princess Street was divided into sixteen lots, and the right to occupy the same offered for competition at the Land Office, Dunedin, on the 5th day of February instant, subject to the following terms and conditions:

1. The lot will be put up at auction at the net price of £5. per foot frontage.
2. The purchaser to pay down 10 per cent deposit on the lot being knocked down, and pay the full year's rent before the license to occupy is granted to him.
3. If the rent be not paid within one month from the date of sale, the purchaser's right to the license will be considered abandoned, the deposit will be forfeited, and the license rescinded.
4. On completing the above conditions the purchaser will be entitled to a license to occupy the section or sections purchased by him for twelve months from the date of sale.
5. The occupier will be bound to remove all buildings, and give up possession of the land specified in his license, upon receiving three month's notice in writing from the Commissioner of Crown Lands at any time after the expiry of nine months from the date of sale.
6. The occupation of the sections as laid off on the office map is to be understood to give no right to the water frontage to the harbour, or to prevent any improvements in the harbour which the Superintendent of the Province may direct.
7. The license will not be allowed to sublet or to assign his license without first obtaining the consent of the Commissioner of Crown Lands.
8. Upon any transfer of the license or any part thereof with the consent of the Commissioner, a fee of one pound will be charged.

The various lots were let at the rental stated in the Annexed Schedule, and the sums received were deposited in the Union Bank of Australia to a distinct account, in obedience to the instructions of the Hon. the Colonial Treasurer.

I have, &c.

W. H. Cutten,
Commissioner of Crown Lands

The Hon. the Secretary of Crown Lands, Auckland.

Enclosure in No. 19.

Schedule.

Estates Allotted, Government Reserve, Princess Street.

<table>
<thead>
<tr>
<th>No. of Section</th>
<th>Frontage</th>
<th>Rent per Foot</th>
<th>Full Rent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>32</td>
<td>£ 6 16 0</td>
<td>£ 24 6 0</td>
</tr>
<tr>
<td>2</td>
<td>32</td>
<td>£ 6 18 0</td>
<td>£ 24 9 0</td>
</tr>
<tr>
<td>3</td>
<td>32</td>
<td>£ 6 10 0</td>
<td>£ 24 0 0</td>
</tr>
<tr>
<td>5</td>
<td>32</td>
<td>£ 5 11 0</td>
<td>£ 18 0 0</td>
</tr>
<tr>
<td>5</td>
<td>32</td>
<td>£ 5 2 0</td>
<td>£ 18 0 0</td>
</tr>
<tr>
<td>7</td>
<td>30</td>
<td>£ 5 0 0</td>
<td>£ 15 0 0</td>
</tr>
<tr>
<td>8</td>
<td>32</td>
<td>£ 5 1 0</td>
<td>£ 16 0 0</td>
</tr>
<tr>
<td>12</td>
<td>32</td>
<td>£ 4 16 0</td>
<td>£ 15 0 0</td>
</tr>
<tr>
<td>13</td>
<td>32</td>
<td>£ 4 8 0</td>
<td>£ 12 0 0</td>
</tr>
<tr>
<td>14</td>
<td>32</td>
<td>£ 4 19 0</td>
<td>£ 16 0 0</td>
</tr>
<tr>
<td>18</td>
<td>32</td>
<td>£ 4 18 0</td>
<td>£ 15 0 0</td>
</tr>
<tr>
<td>18</td>
<td>32</td>
<td>£ 4 8 0</td>
<td>£ 12 0 0</td>
</tr>
<tr>
<td>18</td>
<td>32</td>
<td>£ 3 11 0</td>
<td>£ 11 0 0</td>
</tr>
<tr>
<td>18</td>
<td>32</td>
<td>£ 3 2 0</td>
<td>£ 10 0 0</td>
</tr>
<tr>
<td>17</td>
<td>324</td>
<td>£ 3 15 0</td>
<td>£ 143 0 0</td>
</tr>
</tbody>
</table>

Total, £22,320 16 0

W. H. Cutten.
No. 20.

The Commissioners of Crown Lands, Otago, to the Hon. the Colonial Treasurer.

Sirs,—

In reply to your letter requesting to be furnished with information upon the subject of Native Reserves in this Province, I have the honor to forward you a copy of a Report on the same subject which I furnished to His Honor the Superintendent in April, 1853, with such additional remarks as the change of circumstances render necessary, together with the map of the Province showing the position of the various reserves.

Yours, &c.,

The Hon. R. Wood, Colonial Treasurer, Auckland.

W. H. Coutts.

Enclosure 1 in No. 20.

Chief Commissioner's Report upon Native Reserves.

Sirs,—

Waste Land Board Office, Dunedin, 14th April, 1854.

I have the honor, in accordance with your Honor's request, to report upon the subject of the Native Reserves in this Province. I regret that the matter should have been so long delayed, and that the required information could not at once be placed at the disposal of the gentlemen appointed as Commissioners under the provisions of "The Native Reserves Act, 1853," but the state of the records in the Land Office relating to the Native Reserves is so defective that I have had great difficulty in ascertaining the actual state of the legal position of many of the reserves, and my report is therefore not so entirely satisfactory as I could desire.

In the first place the Commissioners request to be furnished with maps of all the reserves. This has hitherto been an insurmountable difficulty from the fact of the Survey Department being unable to undertake the amount of work required of it, but the strength of the department having been increased, I hope we may have every hope that maps of each of the reserves as have been surveyed and recorded will shortly be furnished to be submitted.

The reserves appear to have been numbered with reference to the several purchases from the Natives; thus those reserves which are made in the Northern District, the Native title to which was extinguished by Mr. W. Mantell in 1849-50, commence with the No. 9. The reserve so numbered, although recorded in the Otago Land Office, is in fact in the Canterbury Province, and appears to be the consecutive number of reserves made further to the north, a system which is carried on by the most northerly reserve in the Province of Otago being numbered 10, whilst the reserves in the Murihiku District, the purchase of which was effected by Mr. Mantell in 1850 and 1854, commence with No. 1.

I consider it will be more convenient to notice the reserves in the order of their number in preference to their date of resumption, although the plan has some inconvenience.

Reserve No. 1 was made by Mr. Commissioner Mantell at the date of purchase of the Murihiku Block. It was surveyed by Mr. Kettle. It is situated on the east bank of the Mataura. Its contents are 282 acres, and is partly open land and partly bush; the exact quantity of bush has not been accurately ascertained, but it is presumed that about one-third of the land is covered with timber. There are but few Natives residing on the spot,—I believe but one family and its connections. The reserve is situated in the best place for a ferry over the Mataura on the present known route to the south. The soil is good and well adapted for cultivation, both upon the Native and European plans.

Reserve No. 2 was reserved at the same period as Reserve No. 1. It is situated at Quail cru on the East Head of the entrance to the New River, and comprises 1,656 acres, about one-half of which is covered with bush. The soil is mostly good, and is well suited to Native cultivation. As in all the Native reserves at the South, it combines also the advantages of situation, being near to the mouth of the New River, which will ultimately become the main channel of communication with the interior country; and being on the coast, the Natives can easily supply themselves with fish. In the selection of all these reserves the Natives were consulted. They are therefore the best suited to meet the wants of the Natives, and combine the advantages of being situated in a position which will ultimately acquire commercial value. Of the number of inhabitants or the state of their cultivation, I have no means at hand of forming an estimate.

Reserve No. 8 is in the same position as to the period of its reservation as the previous reserves. It is situated on One, on the West Head of the New River within the lower harbour, and comprises 176 acres, partly bush and partly open land, and in about equal proportions. It is well suited for cultivation, and has a commercial value from its situation.

Reserve No. 4 is similar to the above, and is situated at Aparua, East Head of the Drum's River, and comprises 577 acres, about one-half of which is bush land; the soil is good and the place well adapted for cultivation. It has a high position value, as it abuts upon the village of Riverton, being doubtless part of the land which would have been set aside for the town had it not been preserved for the Natives.

Reserve No. 5, the same as the above, is situated at Orau, Maribou Point, Colbalt's Bay. It comprises 1,313 acres, mostly bush land, well suited for Native purposes. If the country were generally occupied it would have position value.

Reserve No. 6 is in the same legal position as the foregoing reserves. It is situated at Kawakawa, Ruakahana, and comprises 977 acres, chiefly bush land. It is much of the nature of the other southern reserves, but no accurate information can be obtained at Dunedin relative to it.

Reserve No. 7 is in the same legal position as the foregoing. It is situated at Onetoto, and is a promontory projecting into the sea; it comprises 90 acres, and is entirely open land. This appears to be the best reserve made at the time of the Murihiku purchase.

Reserve No. 8 appears to be no reserve numbered 8.

Reserve No. 9 is situated on the north side of the Waitangi, and is therefore in the Province of Canterbury.
Reserve No. 10 was reserved by Mr. Commissioner Mackell, 11th November, 1846–69, and was surveyed by Mr. Alfred Miles, Surveyor to the New Zealand Company. It is situated on the south bank of the Waitaki, about fourteen miles from the mouth of the river, and is called Te Pounamu. It comprises 98 acres, and is entirely open land. It appears to have been wet meadow for the family of a particular chief named Huru Huru. Its agricultural capabilities I have no means of ascertaining. It has a position value, being the place from which passengers are ferried across the Waitaki. It is a doubtful bush, but a reserve was made by Mr. Mantell of bush on the west cliff of Waiapara Valley, but which was not surveyed. No description of its extent is given, nor can I, from the records of the office or from Mr. Thomson's reconnoissance map, ascertain its position. There is a stream called by Mr. Thomson the Koura, which with the profits of the wood and water would indicate the spot, but there appears to be no bush there. This supposed reserve is referred to in no. 10. Another small reserve is said to have been promised by Mr. Mantell, at Hakatara-mau, Waitaki Gorge, about thirty miles inland of Te Punu Omiri, but I cannot, from the records of the office, ascertain its position. This reserve appears to have been recommended by Mr. Mantell to be 150 acres for the special use of a Native and his family of the name of Te Wareskoro, who appears to have been a resident on the spot. Mr. Mantell in a letter, if the Hon. the Colonial Secretary of the 18th March, 1865, speaks of taking up the spot and sending a sketch survey, but no further record can at present be found in this office. I have reason to believe that the reserve is on the south side of the River Waitangi, and is therefore in the Canterbury Province.

Reserve No. 11 was made at the time of the purchase of the northeastern portion of the Province in 1863–69. It is situated at Eakani Bay, about eleven miles north of Moeraki Bay. It comprises 55 acres, and is entirely open land. It appears to have been wet meadow for the family of a particular chief named Moewai. It is a doubtful bush, but a reserve was made at the same time of a reserve of 55 acres by Mr. Commissioner Mantell to the Colonial Secretary, of no date, and it would appear that this reserve was abandoned by the Natives, and Mr. Mantell recommended that an addition to the Moewai Reserve should be made of 75 acres in lieu of the abandoned reserve, an arrangement which received the sanction of the Governor-in-Chief, as intimated in a communication from the Colonial Secretary to Mr. Mantell dated the 5th April, 1863. No further record of the transaction exists. The reserve was recommended by the Native, and was the only land adjoining the Native Reserve at Moewai given to the Natives. It will be the duty of the Commissioner for Native Reserves to consider within which class of reserve, as distinguished in the Native Reserve Act of 1858, this last-mentioned land comes, and whether the abandoned reserve can be considered legally abandoned.

Reserve No. 13 was made in 1846–48. It is situated at Moewai, and was originally 500 acres in extent. An addition of 75 acres was sanctioned by His Excellency the Governor, as mentioned in a report on Reserve No. 11. It is well wooded, and is a particularly valuable piece of land, both from the nature of its soil and position. In January, 1863, there were 87 Native inhabitants. Its present population or the extent of cultivation I have no official means of ascertaining.

Reserve 12.—This is a reserve of 10 acres of timber in the Kuri Bush, made by Mr. Commissioner Mantell in 1845.

Reserve No. 15 was made in 1865. It is situated at Waitukutu. It is, originally comprised 1,900 acres, and was surveyed by Mr. Wilks. Certain European cultivations were temporarily exempted from the reserve, though no accurate extent of the same was afterwards given to the Natives, the Governor disapproving of the exemption. Subsequently Mr. Kettle resurveyed the reserve, and extended its boundaries so as to include 2,269 acres 3 rods 26 perches, of which proceeding Mr. Mantell disapproved, and reported upon the subject to the Governor, whose decision was in favour of the recommendation, as intimated in the Colonial Secretary's letter of the 16th March, 1863. The reserve is well wooded, and cultivated to a considerable extent; the soil is good, and the land from its position valuable. In 1848 there were 121 Native inhabitants. I have no official information as to their present number.

Reserve No. 14 was made in 1848. It is situated at Parakaukau Bay. It consists of two lots of land containing 270 and 28 acres respectively; the larger portion is chiefly wooded land, the soil is good and arable, and to 1,000 acres there were 45 inhabitants. Of the whole of the foregoing-mentioned reserves, which may be furnished immediately they can be obtained from the Survey Office.

Reserve No. 15.—There is no reserve bearing this number, but I propose, for the sake of convenience, to give that number to the reserve at the Otago Heads. This reserve was made at the date of the purchase of the Otokie Block by the New Zealand Company. It is in two lots, comprising about 4,000 acres and 1,200 acres respectively; the former portion adjoining a reserve for General Government purposes, for lighthouses, pilot stations, etc., and it is not quite clear what the extent of the latter reserve is, as there is no record of it in the Land or Survey Offices, excepting that in one of the maps of the Survey Office a rough survey is marked off at the point which comprises about 250 acres. I have observed that Mr. Mantell, in a letter to the Colonial Secretary of date 17th August, 1854, states that extent (250 acres) to be too great, and that the error had arisen from the Crown Grant to the New Zealand Company, in which the extent of the Crown Reserve is estimated at 250 acres, and in the said letter he refers to a map copied from certain Parliamentary Papers, but for the present I have no means of knowing what the nature of the map was. The above reserve, No. 15, is well wooded, and contains much fine agricultural land. It has a high position value, and it is to be regretted that from its great extent and its monopolizing the whole of the land available for the site of a town, European good character and industrious habits have been prevented from settling in this neighbourhood. That the Natives have been deprived of the many bennetts which would have come to them both personally and morally, had the nature of the reserve been reined in close contact with a civilized community.

The Commissioners will find a detailed account of the Maori population living at the Otago Heads in a report laid before the Presbytery in the course of the past year.

Reserve No. 18.—I propose to give this number to the reserve at the Tivoli, which at present bears no number. This reserve was made at the date of the purchase of the Otaki Block by the New Zealand Company, it is situated on the north bank of the Taieri River, extending from its mouth to the
juncture of the Taieri and Waikoloa waters. It comprises about 2,800 acres. Timber is scarce in proportion to its extent, but there is more than sufficient to supply the wants of the present Native inhabitants. A portion of this reserve at the western extremity is remarkably valuable for a site of a village. A few Natives live there, but the land generally is not made use of, the Natives preferring to cultivate the side of hills, and in doing so they have destroyed much valuable timber.

I find casual mention of a reserve near the mouth of the Ohiaa River. It is not accurately laid down in any map, and no mention is made of it in the record map. I have no means of ascertaining its extent. Indeed I do not think that it has ever been fixed.

Besides the above reserves, which may be said to be the whole coming distinctly within that description, a reserve was made at Port Chalmers of nearly an acre in extent. It consists of sections 303 and 404, and a portion of unsurveyed land. It is not shown on the record plan. The reserve was recommended by Mr. Mastell, and was sanctioned by the Governor in 1894 and 1895. A quarter of an acre adjoining, viz. section 401, was purchased by Mr. Mastell from Mr. R. Williams with the sanction of the Governor. The reserve was made under the pretence of its being required for the use of the Natives living at Port Chalmers; but for that purpose it is entirely useless, as it has a steep frontage to the beach of considerable elevation. It has never been used by the Natives.

A reserve for a similar object was made at Dunedin. Its exact extent is not defined, but comprises all the land between the shore of the harbour and the east side of Prince Street, and sheets upon the land upon which the Maori has been built. This reserve was made upon the authority of the Governor; but it appears to me that His Excellency the Governor exceeded the powers vested in him in this latter case, the land in question having been already set apart as a public reserve under the Otago Terms of Purchase.

It is well, however, to be the especial duty of the Commissioners under the Native Reserves Act to ascertain the correct legal position of both those latter reserves. If reserves at all, they are lands over which the Native title has been extinguished. As reserves for the objects contemplated, they are utterly useless.

In closing this Report, I cannot but regret that it should be so imperfect, and that it should have been so long delayed by my being under the necessity, in the intervals afforded from the discharge of my other duties, of reading over the whole correspondence of Mr. Commissioner Mastell with the Colonial Secretary during three years, and having had repeatedly to search the Land and Survey Office for maps, which will, I trust, be an excuse to your Honours for the delay.

To His Honour the Superintendent.

W. H. CREN.

Enclosure 2 in No. 20.

COMMISSIONERS OF CROWN LANDS' REPORT UPON NATIVE RESERVES.

Since the above Report was made, the Province of Otago has been divided, and the reserves numbered 2, 3, 4, 5, 6, and 7 are now within the boundaries of the Province of Southland.

It is not possible to give any satisfactory estimate of the value of the various reserves. They are all of greater value than the adjoining Crown lands, and in some instances, such as the reserves at the Otago Heads, the Taieri, Moaari, and Jacob's River, which are well adapted for town sites, they are of great value. I have no hesitation in saying that, were a town laid out at the Otago Heads it would sell for more than the usual upset price of £50 per acre, and that probably £5,000 would be obtained for it in the course of one or two years. Were another town laid out at the site of the Belvedere it might be obtained for £10,000 in less than twenty months. The reserve at Moaari is not so immediately available, because the Town Reserve belonging to the Government has not yet been surveyed and laid out; but immediately after a Government town has been sold, or in fact sold, all the adjoining Maori land would sell readily at high prices. All the reserves, with the exception of those at Port Chalmers and Dunedin, the reserve for timber at Moaari, and the exchange at Moaari, and the extension at Waihola, were made at the time of the extinction of the Native title to the land, in the Province of Otago, and are more or less used by the Natives for occupation, residence, and cultivation. The reserves at Port Chalmers and Princes Street, Dunedin, were selected with the view of affording accommodation to the Natives on their visits to those places; but as both reserves were and are entirely useless for the purpose contemplated, they have never been used by the Natives.

In 1869 (December) Mr. Stafford and Mr. Richmond, then members of the General Government, visited Otago, and seeing the usefulness of the position of the reserves in Dunedin for the object proposed, acceded to the request of the Superintendent, who allowed the erection of the stone building now used by the Natives on land which had been granted to the Superintendent in trust as the site of public buildings.

No authority until lately has been given to the Commissioner of Crown Lands to let reserves, and the Commissioners of Native Reserves have had no title to land, consequently no revenue has hitherto been derived from any Native Reserve in Otago.

Part of the reserve at Princes Street, Dunedin, has for many years been used by the Provincial Governor as the site of Immigration barracks, and latterly also for Police barracks. On the 5th instant, 16 sections, containing 1 ac. 12 perch, were, in accordance with the instructions of the Honorable the Colonial Treasurer, offered for occupation for one year. The whole were let at a gross rental of £2,259 £s. 6d. per annum. A deposit of 10 per cent. was paid at the time of the sale, the purchaser being at liberty to take up his lease upon payment of the rent in advance within one month. Up to the present time, 14th February, the sum of £205 18s. 6d. has been received and paid into the Union Bank of Australia under a separate head from other Crown revenue, to await instructions for its disposal. Before any definite steps are taken by the Government on this point, I have to request the
opportunity of reporting specially on this reserve, and to suggest that before any Crown Grant is issued for the land in question, care be taken that the water frontage is reserved, otherwise an impediment will be placed in the way of contemplated harbour improvements.

Of Reserve No. 12a, I may observe that Mr. Mantell only reserved the bush growing on ten acres of land; that his reserve did not include the land. Mr. Mantell’s object in making the reserve was to compensate the Moeraki Natives for the loss of timber which they supposed themselves to sustain in consequence of the reserve for a town which Mr. Mantell had made at Moeraki. On the occasion of Mr. Mantell’s visit to Otago he explained to me the circumstances of the case, at the same time stating Mathia Taramouchu, a chief of the Natives residing at Moeraki, wished to purchase the land, to hold on behalf of the other Natives resident at Moeraki. Therefore, as Chief Commissioner of the Waste Land Board, consented to Mathia Taramouchu purchasing the land, together with a further area of adjoining land, which Mr. Mantell had agreed to grant, but which the Natives had hitherto neglected to pay for, owing to some mistake on their part in instructing the money to a person in Otago, whom they supposed had paid it into the Land Office.

Ten acres of sections 7 and 8, Bl. Portobello District, were sold by go to Paterometoe Fai, a Native resident at the Heads. The purchase was understood to be on behalf of the whole body, but the purchase was made in the ordinary way in which sales of land are made to the public. It cannot therefore be considered a reserve, but at the same time the Natives may be willing that it should be administered by Commissioners for Native Reserves.

The management of all the Native Reserves in this Province has been deputed to certain Commissioners, for whose information the Report to the Superintendent foreworded herewith was prepared. I have not had any communication with these gentlemen, and am therefore ignorant of the steps they have taken to carry out the duties intrusted to them. The great difficulty in the matter is, that unless the Natives consent to extinguish the original title of the Crown, the Commissioners have no power to deal with the land. Were this done, and were the Natives to consent to the sale of a portion of their reserves for village sites, the Commissioners would have ample funds at their command to effect great improvements in the condition of the Maoris, both socially and morally.

It is not advisable in this Report to enter into a lengthened discussion as to how these improvements should be effected. I rather understand it to be the desire of the Government to ascertain from me how the means are to be obtained from the Native Reserves to carry out such improvements. I fear that the gentlemen at present appointed as Commissioners have too many other engagements to be engaged in giving much time or attention to the Commission, and I would suggest that Mr. Baker should be added to the Commission, or that he should be appointed Secretary, with a sufficient salary to enable him to attend to the matters connected with the management of the Native Reserves being thoroughly attended to. That gentleman’s knowledge of the Native language and experience of the Native character would make his services invaluable, and undoubtedly the property of which the Natives are possessed is ample sufficient to provide every requisite for the education and improvement of the Maoris of Otago. It is therefore much to be regretted that it should be lying waste, and unprofitable either to the Natives or any one else.

I have, &c.,

W. H. CUTTEN,
Chief Commissioner of Crown Lands.

____________

The Commissioner of Crown Lands, Otago, to the Secretary for Crown Lands.

Sir,—

Crown Lands Office, Dunedin, 28th November, 1862.

I have the honor to request that I may be instructed to pay the sum of £504 12s. 1d., to the Town Board of Dunedin, the cost of making a footpath along the front of the reserve on the east side of Princes Street, Dunedin. The reserve in question was let by me under the authority of R. Wood, Esq., then Colonial Treasurer, the funds being paid into a separate account, to be dealt with according to instructions. The Town Board has the power of making footpaths in front of any property in town and charging the expenses to the owners or occupiers of the land, the latter having the power to deduct the amount from the rent payable to the owner, provided the tenant has not a lease of three years or longer. In the case in question I have let the property only for one year, but have received the rent in advance, so that the tenants have no remedy by way of deduction. The only objection to the payment is that Crown lands are exempt from such taxes; but as it is clearly the spirit of the Ordinances that this exemption should apply to Crown land of which no use is made, and certainly not to such a case as the present, I have the honor to request that I may be instructed to pay the amount demanded. I may observe that in the case of the Customs House Reserve, also Crown land, the rates for the Government path has been paid by the Collector of Customs.

I have, &c.,

W. H. CUTTEN,
Commissioner of Crown Lands.

____________

MEMORANDUM by the Assistant Law Officer to No. 21.

The information given by Mr. Cutten does not enable me to see either what the reserve he alludes to actually is, or the Ordinance under which the rate is imposed.

The Dunedin Roads and Streets Ordinance, 1855, sec. 20, states exceptions to assessment which may perhaps cover the reserve in question. I suspect it is a Native Reserve. Mr. Cutten should be requested to furnish further information, and memos to reference payment of the rates.

J. H. CRAWFORD

(As Assistant Law Officer).

22nd December, 1862.

The Hon. the Colonial Treasurer, Auckland.
No. 23.

The Commissioner of Crown Lands, Otago, to the Secretary for Crown Lands.


In reply to your letter of the 23rd December last, referring to a certain reserve situated on the east side of Prince Street, Dunedin, I have the honor to enclose a tracing of plans made to enable me to let the land; also a statement of the amounts received and paid into the Bank to a separate account.

There have been no expenses incurred excepting a small sum for advertising, which has been paid by the Provincial Government in its general account. The plans having been prepared by the Survey Department, no definite expense has been incurred; but should the money be ultimately ordered to be paid to any other body than the Provincial Government, a charge might be made to cover the estimated expense to which the Provincial Government has been put upon which the sections were let, from which it will be seen that the license to occupy is to determine after three months' notice from me. It was necessary that buildings should be erected upon the land or it would have been valueless, and I did not propose to again let the land by auction, but to continue the first license-holders in possession until the land was wanted by the Government, and at the close of each year to have renewed the license upon payment of the twelve months' rent in advance, otherwise it will be necessary that valuation of the buildings should be made; and if the lots be again submitted to auction, the amount of the value to be paid by the incoming tenantry, I would observe that the persons who have occupied the property are generally of opinion that they paid too much for the privilege of using the ground, and it is not at all improbable that they may desire to abandon their houses, provided they do not obtain a reduction in the rent. I have therefore the honor to request that I may be instructed to renew the licenses on the existing terms, or in the event of the license being abandoned to let the lots again by auction, adding as a condition of the sale that the value of improvements be paid by the incoming tenants to me, the amount to be immediately paid to the outgoing tenant.

The rates received last year varied from £6 10s. per foot frontage to Prince Street, to £2 2s. per foot, averaging £4 13s. 6d. per foot. Three allotments, viz., 2, 15, and 17, were abandoned, and the deposit at the first sale forfeited. They were unapplied for a considerable time, and were taken up in November for the remaining term, i.e., to the 5th February, at considerably reduced rates. This was in part owing to the first rates being excessively high, and to the sections 1, 2, and 17 having but little depth. The nature of the ground is very similar to points of land jutting into the harbour at Auckland. Those near the Market Square, owing to the water from the public jetties and general business part of the town, but the small portion of the level land is at an elevation of about 2' to 40 feet from the beach at high water-mark, so that to erect buildings on the first two or three sections long piles had to be used and the earth made up. The land gradually falls towards the south, and section 17 is about 10 to 15 feet above high water-mark. The whole reserve is now built upon, and although the buildings are not of a very permanent character, they are a great improvement to the town. The erections shown on the plan are those which were in existence prior to the reserve being let, and have since been removed or added to so as to alter their character. That portion of the reserve coloured pink is in the occupation of the Provincial Government. The well also marked pink is reserved, and a public pump has been erected at the expense of the Town Board. I may observe that the whole line of pavement has been completed, that portion along the land used by the Provincial Government having been paid for by that body, and the remainder having been paid for by the Town Board, who now seek to recover the amount from me or from the tenants in occupation of the reserve. With reference to the destination of the funds, I would observe that the whole of the reserve was originally laid out in quarters, the sections were to be the habitations of the persons in the distillery who desired to erect buildings for the production of liquor, but this piece of land is intended to prevent the possibility of claims to water frontage interfering with future improvements in the harbour, the first buyers of land in Otago were not allowed to select any of the sections, but they were wiped out of the public map, and the reserve was informed that the land was reserved for public use. This occurred in 1848. In 1858, Mr. Mantell, the Commissioner of Crown Lands at Otago, forwarded, apparently at the request of the Civil Secretary, two plans of land which he recommended to be reserved for the use of Natives when visiting Dunedin and Port Chalmers (see Despatch, 13th April, 1855, addressed to the Civil Secretary). One of these reserves comprises the land on the east side of Prince Street shown in the enclosed plan. I am decidedly of opinion that the reserve in question ought to form a part of the trust for the improvement of the harbour. I am not certain that this disposition of the land could not be enforced by application to the Supreme Court were there any corporate body in the Province who could legally maintain the claim. In the meantime the funds are lying idle in the Bank, and the period for again receiving the rent is close at hand the accumulation will be yet greater. Some difficulty will arise on the rent again becoming due, in consequence of the claim made by the Town Board for the footpath rate, that body contending that they have a perfect right to levy a footpath rate in consideration of the special condition which is made in the Dunedin Roads and Streets Ordinance exempting the owner or occupier of any land from the obligation to make a footpath, and the exemption of waste lands of the Crown from assessment is intended strictly to apply to waste lands and not lands of the Crown of which a beneficial use is made. Whatever the decision of the Government may be as to the destination of the funds, practically the footpath rate will have to be paid by the recipients of the funds; for if the Town Board sue the tenants or threaten to sue, the rent of the land will fail, and affect the amount receivable to as great an extent as if the rate had been paid in the first instance. Under these circumstances, I strongly recommend that I should be instructed to pay the rate claimed by the Town Board.

The Hon. Secretary for Crown Lands,

Auckland.

I have, &c.,

W. H. CARTER,
Commissioner of Crown Lands.
Enclosure 1 in No. 22.

CONDITIONS OF SALE. Government Reserve, Prince's Street.

1. The lot will be put up to auction at an upset price of £6 per foot frontage.
2. The purchaser to pay down ten per cent deposit on the lot being knocked down, and pay the full year's rent before the licence to occupy is granted to him.
3. If the rent is not paid within one month from the date of sale, the purchaser's right to the licence will be considered abandoned, and the deposit will be forfeited and the licence re-sold.
4. On completing the above conditions, the purchaser will be entitled to a license to occupy the section or sections purchased by him for twelve months from the date of sale.
5. The occupier will be bound to remove all buildings and give up possession of the land specified in his license upon receiving three months' notice in writing from the Commissioner of Crown Lands at any time after the expiry of twelve months from the date of sale.
6. The occupation of the sections as laid off on the office map is to be understood to give no right to the water frontage to the harbour, or to prevent any improvements in the harbour which the Superintendent of the Province may direct.
7. The licensee will not be allowed to sublet or assign his license without first obtaining the consent of the Commissioner of Crown Lands.
8. Upon any transfer of the license or any part thereof, with the consent of the Commissioner, a fee of £2 will be charged.

---

Enclosure 2 in No. 22. Prince's Street.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Description</th>
<th>£  s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td></td>
<td>20 0 0</td>
</tr>
<tr>
<td></td>
<td>Nov. 21</td>
<td>rent from 21st November to 5th February, 1863</td>
<td>30 16 0</td>
</tr>
<tr>
<td>2</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td></td>
<td>20 0 0</td>
</tr>
<tr>
<td></td>
<td>Nov. 21</td>
<td>rent, 21st November, 1862, to 5th February, 1863</td>
<td>24 15 0</td>
</tr>
<tr>
<td>3</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Mar. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Mar. 10</td>
<td>balance of rent to 5th February, 1863</td>
<td>194 10 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 13</td>
<td>transfer</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>18 6 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>154 17 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 18</td>
<td>transfer</td>
<td>1</td>
</tr>
<tr>
<td>7</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>151 10 0</td>
</tr>
<tr>
<td></td>
<td>Feb. 24</td>
<td>transfer</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Apr. 17</td>
<td>transfer</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>July 2</td>
<td>do.</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Jan. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Mar. 4</td>
<td>balance of rent to 5th February, 1863</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Mar. 10</td>
<td>transfer</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>July 2</td>
<td>do.</td>
<td>4</td>
</tr>
<tr>
<td>9</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 13</td>
<td>balance of rent to 5th February, 1863</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Feb. 24</td>
<td>transfer</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>July 1</td>
<td>do.</td>
<td>4</td>
</tr>
<tr>
<td>10</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Mar. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>108 9 3</td>
</tr>
<tr>
<td></td>
<td>Mar. 6</td>
<td>balance of rent to 5th February, 1863</td>
<td>167 0 0</td>
</tr>
<tr>
<td></td>
<td>July 2</td>
<td>transfer</td>
<td>1</td>
</tr>
<tr>
<td>11</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>107 9 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 10</td>
<td>transfer</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Nov. 24</td>
<td>do.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Nov. 4</td>
<td>do.</td>
<td>1</td>
</tr>
<tr>
<td>12</td>
<td>1862</td>
<td>By deposit at sale</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Feb. 5</td>
<td>balance of rent to 5th February, 1863</td>
<td>16 0 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 4</td>
<td>balance of rent to 5th February, 1863</td>
<td>122 19 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 4</td>
<td>balance of rent to 5th February, 1863</td>
<td>18 0 0</td>
</tr>
<tr>
<td></td>
<td>Mar. 4</td>
<td>balance of rent to 5th February, 1863</td>
<td>122 10 0</td>
</tr>
</tbody>
</table>
Account.

1862

Feb. 3  By deposit at sale  .....  2 11 14 0
Mar. 3  balance of rent to 5th February, 1863  .....  3 105 0 0
Aug. 13  do.  .....  6 1 0 0
Nov. 17  do.  .....  8 1 0 0

1863

Feb. 3  By deposit at sale  .....  2 11 14 0
Mar. 4  balance of rent to 5th February, 1863  .....  3 105 0 0
Apr. 17  transfer  .....  4 1 0 0
June 1  do.  .....  4 1 0 0

1862

Feb. 5  By deposit at sale  .....  2 10 4 0
Mar. 4  rent to 5th February, 1863  .....  8 22 2 0
Apr. 17  transfer  .....  4 1 0 0
Aug. 13  do.  .....  6 1 0 0

Feb. 21  rent, 21st November, 1862, to 5th February, 1863  .....  8 36 5 0

Balance 61 6 0

By balance of section No. 1

2 58 16 6

3 44 15 0

2 215 10 0

3 184 0 0

2 159 0 0

3 167 0 0

2 168 15 0

3 168 8 0

3 121 9 3

3 164 7 0

3 156 9 0

3 135 19 0

3 120 9 0

3 110 3 0

3 104 8 0

3 51 5 0

£2,106 12 0

H. W. COTTER, Commissioner of Crown Lands.

Note.—The sums given in the summary account above are the totals of the other accounts in 26th January, as these accounts will not be closed till 5th February proximo.

No. 29.

The Clerk of the Town Board, Dunedin, to the Commissioner of Crown Lands, Otago.

Town Board Office, Dunedin, 11th July, 1863.

I have the honor to direct your attention to a claim of the Town Board of Dunedin for a sum of £240 12s. 6d., being cost of fencing footpath in front of land the property of the General Government, situating on east side of Piroro Street, Dunedin, and to request that you will be so good as to acquit me with your decision thereon, as unless you will undertake to settle such claim at once, proceedings will be taken against the occupier of the said land.

You are no doubt aware that the present occupier, being yearly tenants, are not liable for footpath charges, and that any expense to which they may be put may be recovered from them by the Government.

I have, &c.,

W. H. COTTER, Esq., Commissioner of Crown Lands, Otago.

C.戶, Clerk to Town Board, Dunedin.

No. 24.

The Hon. the Colonial Treasurer to the Commissioner of Crown Lands, Otago.

Dunedin, 22nd July, 1863.

In reference to the demands of the Town Board of Dunedin for rates and assessments on account of the Native Reserve which was leased by my direction in January last, you will be good enough to pay to the Town Board out of the rents you may hold such rates and assessments as the Board could compel any private freeholder of property to pay.

I have, &c.,

W. H. COTTER, Esq.,

EDMUND WOOD, Colonial Treasurer.
No. 25.

The Hon. the Colonial Treasurer to the Commissioner of Crown Lands.

Sir,—

I have the honor to request that you will pay to the Town Board of Dunedin the amount expended by them in the construction of the footpath in front of the Native Reserve in Princes Street, near the Police Station, out of the funds which you hold on account of that reserve.

Yours, &c.,

Reader Wood.

Sirs,—

The Hon. the Colonial Treasurer to the Collector of Customs, Dunedin.

I have this day arranged with the Town Board to pay the expense of the formation of a flag footpath in front of the reserve on which the Custom House is built, and half of the expense of constructing the roadway from Princes Street to its junction with Railway Street, when you are satisfied that the works have been properly performed, and that the charge is reasonable.

I have therefore now to authorize you to pay these expenses accordingly. The understanding with the Town Board was that the level of the street was to be reduced, so as to show the three steps of the porch, in accordance with the original design of the building.

Yours, &c.,

C. Logan, Esq., Collector of Customs and Sub-Treasury.

Reader Wood.

No. 27.

MEMORANDUM by Mr. Dillon Bell for the Hon. the Colonial Secretary.

Mr. Fox,—

While I was at Otago the Superintendent and Mr. Catten spoke to me about the Native Reserve at Dunedin fronts the Harbour and Princes Street, which Sir George Grey made on Mr. Mantell's recommendation many years ago, and which the Provincial Government have objected to as being made without due authority. When the gold fields were discovered the land of course rose enormously in value, and Mr. Catten was desired to let the frontages from year to year. He has now in hand about £6,000 from this source. If Mr. Clarke can go into the matter with the Provincial Government and Mr. Catten it would be very desirable, but I advise his only being authorized to report to you as the interest involved is so large.

The Tairei Natives wrote to me offering to sell the Government a portion of their reserve at the ferry, which is the best site in that locality for a township. Mr. Clarke might be authorized to treat with them for the concession.

If it would be any convenience to you that I should take any steps in these matters prior to Mr. Clarke's return, I need not say that I shall be very glad to do anything you wish.

April 1st, 1864.

F. D. Bell.

No. 28.

The Native Secretary to Mr. H. Clarke.

Sir,—

I am directed to write to you relative to a communication made by Mr. D. Bell to the Hon. the Colonial Secretary.

Mr. D. Bell states that while he was at Otago the Superintendent and Mr. Catten spoke to him about the Native Reserve at Dunedin fronts the Harbour and Princes Street, which Sir George Grey made on Mr. Mantell's recommendation many years ago, and which, as he says, the Provincial Government have objected to as being made without authority.

Mr. Bell goes on to say that when the gold fields were discovered this land rose enormously in value, and that Mr. Catten, having let the frontages from year to year, has now in hand about £6,000 derived from this source.

Mr. Fox directs you to go into this matter with the Provincial Government and Mr. Catten, and to report thereon, at the same time suggesting how the money had better be applied.

Mr. Bell also states that the Tairei Natives have written to him offering to sell to the Government a portion of their reserve at the ferry, which he remarks is the best site in that locality for a township. Mr. Fox also directs you to make full inquiries on this matter, and to report to him thereon.

Yours, &c.

H. Clarke, Esq., &c.

Edward Shortland,

Native Secretary.

No. 29.

Mr. H. T. Clarke to the Hon. the Colonial Secretary.

Sir,—

In compliance with the instructions contained in your letter of the 4th instant, requiring me to go into the question of the Native Reserve at Dunedin with His Honor the Superintendent of Otago and Mr. Catten, which reserve is objected to by the Provincial Government as having been made without authority:

Auckland, 24th October, 1864.

Yours, &c.,

H. T. Clarke.
I have the honor to report that I proceeded to Dunedin without delay, and waited upon His Honor the Superintendent and Mr. Cutten, but I could not obtain any positive information on the subject.

To draw from the Provincial authorities the point at issue in the case, I wrote a letter to His Honor (a copy of which I enclose), and to give the Provincial Government time to examine the public records, I promised to call for an answer in six weeks. I did so, but no answer was ready, nor have I since received any reply.

I have examined a copy of the original deed of Otago in Maori, executed by Mr. Commissioner Kemp in 1848. I find a clause inserted of which the following is a translation:—"Our dwelling-places and our cultivations are to be left for us and our children after us, and it shall be for the Governor hereafter to make other reserves for us after the land has been surveyed by the Surveyor." This I presume, apart from any other power which His Excellency the Governor may possess, should set the question at rest.

The Hon. Colonial Secretary, Native Department.

H. T. Clarke.

Enclosure in No. 29.

Mr. H. T. Clarke to His Honor the Superintendent, Otago.

Sir,—

Dunedin, 17th May, 1854.

I have the honor to acquaint you that Mr. Dillon Bell, when in Auckland a short time since, spoke to the Hon. the Colonial Secretary relative to a Native Reserve in this city having frontages to the Harbour and Princes Street, which Sir George Grey made on the recommendation of Mr. Mantell many years ago, and which Mr. Bell states the Provincial Government have objected to as being made without authority.

I have been requested by the Colonial Secretary to go into this matter with the Provincial Government and Mr. Cutten.

Would you be good enough to direct that I may be furnished with a full statement, supported by documentary evidence, of the circumstances under which the reserve was made; when it was made; when first objected to by the Provincial Government; and the ground of those objections.

I have, &c.,

His Honor the Superintendent, Dunedin.

H. T. Clarke.

No. 30.

The Commissioner of Crown Lands, Otago, to the Secretary for Crown Lands.

Crown Lands Office, Dunedin, 29th October, 1854.

Sir,—

I have the honor to enclose a memorial from certain tenants of Crown Lands occupying the reserve on the east side of Princess Street, relative to which reserve a question arises whether it is a reserve for the Maoris or a reserve for a quarry. The statements made by the memorialists are substantially true, and there can be no doubt that the rents paid could not be obtained if the land were now offered by auction. The memorialists have to put up buildings in many cases of a substantial character, hence they are necessitated to pay a high rent or abandon the improvements they have made. I am of opinion that on an average £3 per foot frontage would be a fair rent, and I have therefore recommended that I be instructed to make such reductions as I may find advisable, not being less than £3 per foot, except in the case of sections 15, 16, and 17, which are not worth more than £2 per foot frontage.

I have, &c.,

W. H. Corder.

The Secretary for Crown Lands, Auckland.

Commissioner of Crown Lands.

Enclosure in No. 30.

To the Secretary for Crown Lands, Auckland.

This, the Memorial of the undersigned Residents in the Town of Dunedin, respectfully brings under your notice the under-mentioned case of hardship and oppression, to wit:

Your memorialists became tenants to the General Government in February, 1852, in so far that they at auction were the preferred lessees of the Crown Reserves situated on the south-east side of Princess Street South, as per plan attached herewith.

Your memorialists, on arriving, with many others in the Province, at the very height of the gold mania, when fictitious prices for everything as well as land were current, and business sites being of a very limited extent, the lease of these allotments above referred to brought what has now turned out to be a most extraordinary and extravagant price, and such that your memorialists now feel unable to pay, and humbly crave your honorable consideration with a view to a reduction at the expiry of the present year ending the 31st of January, 1855, on the following grounds, viz.:—

1. No township had at that period become settled; therefore every article of necessity for the requirements of the digging population were supplied by the merchants of Dunedin, and every available site was therefore greedily taken up, no matter at what cost.

2. Merchants and traders have now followed in the wake of the digging population, and have settled themselves on the various townships in business, thereby lessening the demand for supplies from your memorialists, which they practically feel.

3. The town of Dunedin having thereby become an entry port for the interior, in which have become many thriving and prosperous townships, the general prosperity of the Province being still
maintained, this result has brought on your memorialists heavy and severe pecuniary loss in the
transposition of the trade; and your memorialists having erected buildings of an expensive and
permanent kind, compel them from necessity to ask for a reduction in their annual payments as your
rentals.
3. Though your memorialists have the privilege to remove those buildings at the end of the year,
yet their doing so would render the material almost valueless, and the returns you then receive
from your successors would be very much less than your memorialists would now be willing to give.
Your memorialists humbly lay this memorial for your Honor's consideration, and earnestly crave
acquiescence therein, for which as in duty bound your memorialists will ever pray.

John Clark (for Field and Co.),
Dunedin, New Zealand, 16th October, 1864.
General Corssman.

No. 31.
The Colonial Secretary to His Honor the SUPERINTENDENT, Otago.

Sir,—
Colonial Secretary's Office, Auckland, 6th November, 1864.
I have the honor to transmit to you herewith the accompanying copy of a letter and of its
enclosure, from Mr. H. T. Clarke, who lately visited Dunedin, on the subject of the Native Reserves at
that place, and to request your Honor to be good enough to furnish me at your earliest convenience
with the statement referred to therein.

I have, &c.,
William Fox.

Enclosure 1 in No. 31.
Mr. H. T. Clarke to the ROYAL COLONIAL SECRETARY.

Sir,—
Invercargill, 3rd May, 1864.
Regarding your letter of the 4th April, instructing me to inquire into and report upon
certain questions relating to the Native Reserves at Dunedin, I have the honor to inform you that at
the same date I also, in connection with another matter, addressed a letter to Mr. Assistant Native
Secretary Strode, asking for information on the same subject. Copies of my letter and Mr. Strode's
reply thereto I herewith enclose.

As two or three weeks must elapse before the Natives interested in the sale of Stewart's Island
can return from their Maaten Bird Expedition, I propose, at some time, to go to Dunedin by next mail
steamer, to inquire into this and other matters relating to the Natives.

The Hon. the Colonial Secretary, Native Department.

I have, &c.,
H. T. Clarke.

Enclosure 2 in No. 31.
Mr. H. T. Clarke to the Assistant Native Secretary, Dunedin.

Sir,—
Invercargill, 4th April, 1864.
I have the honor to inform you that I have requested the Government to make certain
inquiries regarding an application made by the Maori Missionary Society of Otago (as far back as 18th
August, 1863), for pecuniary assistance in carrying out the objects of the Society. I am anxious to
give this long-pending matter settled as soon as possible. Would you oblige me by giving all the infor-
mation you can on the subject.

In connection with the above I understand that certain reserves have been made in Dunedin for
the benefit of the Natives, and that those reserves have been utilized. Could you also inform me what
amount accrues therefrom, and how the funds are disposed of?

A. Chisholm-Strode, Esq.,
Assistant Native Secretary, Dunedin.

I have, &c.,
H. T. Clarke.

Enclosure 3 in No. 31.
The Assistant Native Secretary, Dunedin, to Mr. H. T. Clarke.

Sir,—
Dunedin, 21st April, 1864.
In returning to you the documents accompanying your letter of the 4th instant, requesting me
to furnish you with any information upon the present condition of the Maori Missionary Society of
Otago, and particularly with reference to an application made to the Government in 1862 for pecuniary
assistance in carrying out the objects of the Society, I have the honor to intimate to you that in
communicating with Mr. Fenwick, the Secretary to the Society, I was informed that sometimes since the
gentleman acting as Native missionary at Otago Heads dissolved all connexion with the Society, and
that, owing to that occurrence, together with other adverse circumstances, he (Mr. Fenwick)
considered the Society to be virtually defunct, and consequently no funds were required.

With reference to the concluding paragraph of your letter, requesting information as to certain
reserves made in Dunedin for the benefit of the Natives, I beg to inform you that it is only as regards
one reserve that any funds are derivable, and the state of which is as follows:—It is situated in one of
the best business positions in Dunedin, and fully occupied with buildings, amongst which is the Chief
Police Station. The Provincial Government have set up a claim to it, on the ground that at the time
the land in question was appropriated as a Native Reserve. Sir George Grey, the then Governor-in-Chief, was not empowered to grant ½ for that purpose, and the question is still pending. The Hon. Mr. Reder Wood, however, on the subject being brought under his notice during his visit here two years since, gave instructions to the Commissioner of Crown Lands to receive all rents accruing from the reserve in question (the tenants being merely yearly), and to pay the amount into a bank to a separate account, there to remain until the final settlement of the question as to whether the reserve is to be regarded as appropriated for the special benefit of the Natives or is one of the ordinary reserves administered by the Superintendent.

I find on inquiry at the Land Office that the sum of £5,000 has accrued on account of this reserve; it would therefore be very desirable that the question of right should be speedily settled.

I have, &c.,

A. CHEYNEWORTH, Esq., B.M., Invercargill,
Assistant Native Secretary.

No. 32.

MEMORANDUM for consideration of the Hon. the Attorney-General.

1. On the purchase of the Otago Block (in 1845 or 1846, I think), no reserves were made for the Natives in the town of Dunedin, or that of Port Chalmers.

2. The Natives visiting the towns had to encamp on the exposed beaches of the harbour.

3. They complained frequently to me, as Commissioner of Crown Lands, and the representative to them of the Government, of this wretched state of things; and at their request I applied to the Government, through the Civil Secretary of New Munster, for some place to be set apart for them in each town.

4. At the time (1853) a large proportion of each town, besides public reserve, was unoccupied, even at the low rate of £250 per acre.

5. I asked the Governor to select a site in each town and report.

6. At Dunedin the Natives whom I consulted much desired some section near the present site of the Resident Magistrate’s Court, whose value is now at least £2,000 per annum, and which even at that time was regarded as almost not worth purchasing at £12 10s. per section. But there was a narrow steep between Princess Street and the mud flats of the harbour which was regarded as of less value, and as at that time almost out of the town. The only apparently valuable part of it had been appropriated (illegally) as a site for a manse. It was out of the way too. So I recommended that as the reserve at Dunedin.

7. At Port Chalmers all the water frontage had been selected, but I found I could purchase one of the outermost sections, which adjoined vacant back sections, and on reporting to the Governor was ordered to purchase this to complete the reserve (of some four or five back sections). I paid £2 for this section, and it was conveyed to the Crown for this purpose.

8. The value of the Dunedin Reserve at the time did not probably exceed £100. That of the Port Chalmers Reserve—

Frontage section

Say four back sections at £8 each (unsaleable at £12 10s.)

£  s. d.

21 0 0

22 0 0

£ 0 0 0

9. The documents relating to these reserves are, like many referring to transactions in New Munster, imperfect. The Governor (Sir G. Grey) however approved of these reserves as Native Reserves made out of Crown lands, and His Excellence’s approval is sufficiently shown by his direction of the purchase at Port Chalmers.

10. But after Sir G. Grey’s departure in 1854, the Provincial authorities seem to have questioned the power of the Governor to make these reserves; and in 1856, when I spoke with the Superintendent of Otago and Commissioner of Crown Lands on the subject, it was urged that they were too valuable for the Natives.

There is now no reason why the title to these reserves for Native purposes should not be distinctly recorded. How can that be done?

The enclosed papers refer to recent “intermissions” in this matter.

3rd January, 1865.

WALTER MANTELL.

At an interview with the Officer Administering the Government at Auckland, 18th May, 1856, I applied for “Maps for Natives of reserves at Dunedin and Port Chalmers.” The authorized map in Civil Secretary’s Office, no copy of it at Otago. Promised by His Excellency, but not done.

W. B. MANTELL,
Late Commissioner of Crown Lands, Otago.

No. 33.

The Commissioner of Crown Lands, Otago, to the Hon. the Colonial Secretary.

Sir,—

I have the honor to draw your attention to my letter accompanying a petition from the licensees of the Princess Street Reserves, praying that their rents may be reduced. As the period has expired for which the licensees were issued, it is very desirable that I should be in a position to inform the licensees whether a deduction will or will not be made, they being unwilling to pay the rent until the question is definitely settled. I have also the honor to request definite instructions as to the disposal of the funds. By the instructions of the Honorable Mr. Wood, Chief Colonial Treasurer,
I was directed to pay the rents of the Princes Street Reserves into a bank to a separate account, to abide the decision of whether the reserve was a reserve for the Natives, or a reserve for the construction of a quay. The Honorable T. B. Gilchrist, then Postmaster-General, by letter, directed me to pay the balance then in the Bank to the Sub-Treasurer, which I did. Subsequently, the Honorable Mr. Ritchie, then Colonial Treasurer, without communicating with me, directed the Sub-Treasurer to call upon me to pay over any balance in the Bank, which was done, a sum of £502 14s. 5d. being paid to the Sub-Treasurer on that day, closing this year's account. But as funds will still be accruing, I am desirous of receiving instructions as to their disposal. I have to observe that I have granted licenses for the occupation of the reserves as Commissioner of Crown Lands, and by "The Crown Lands Act, 1862," clause 10, I am bound to hand over the proceeds of licenses to occupy Crown lands to the Receiver of Land Revenue, instead of which I have been directed to pay the money to the Sub-Treasurer, and in no case have the instructions come through my superior officer, the Secretary for Crown Lands.

If the reserves in question be not Crown land, I had no power to deal with it. If it be Crown land, then I have paid the funds to a wrong account, upon the instructions of the Postmaster-General. This is an unpleasantly awkward position to be placed in, and I trust I may be relieved from it as early as possible by definite instructions from you.

I have, &c.,

W. H. CUTTER,
Commissioner of Crown Lands.

No. 34.

The Hon. the Colonial Secretary, Auckland.

No. 35.

The Hon. the Colonial Secretary to His Honor the Superintendent, Otago.

Sixth.—Colonial Secretary's Office, Wellington, 30th March, 1885.

It appears by a statement made by the Hon. the Postmaster-General, that a sum of money which has accrued from leasing certain lands in Princes Street was kept as a separate account by the Commissioner of Crown Lands in accordance to an arrangement entered into by the Postmaster-General, with the General Government, until such time as the title to the land in question should be settled.

Government are of opinion that it is desirable at once to decide this point, and I have to request your Honor will furnish me with a statement of any claims which may have been preferred, or are preferred by the Provincial Government, to the land in question.

I have, &c.,

FRED. A. WEBB.

No. 36.

His Honor the Superintendent, Otago, to the Hon. the Colonial Secretary.

Province of Otago, New Zealand, Dunedin, 18th April, 1885.

I have the honor to acknowledge the receipt of your letter No. of the 26th ultimo, on the subject of certain lands in Princes Street, Dunedin, in which I am requested to furnish a statement of any claims which may have been preferred, or are preferred by the Provincial Government thereon. I now beg to forward the enclosed copy of a letter which I have this day addressed to the Hon. the Postmaster-General in reply to a communication which he did me the honor to address me on the subject, from which you will gather the grounds upon which I formed the opinion that the Provincial Government is entitled to the lands referred to, and in which you will also find my protest on behalf of this Province against any act whereby they may be transferred to trustees or otherwise for Native purposes.

I have, &c.,

J. HYDE HARMS,
Superintendent.

No. 37.

The Hon. the Postmaster-General to His Honor the Superintendent, Otago.

Dunedin, 15th April, 1885.

Before leaving Wellington, the Hon. the Colonial Secretary requested me to place myself in communication with your Honor on the subject of the Princes Street Reserves adjoining the mane property.

It appears from certain correspondence on the subject of the reserve in question, that a Mr. Clarkson had been deputed some months since to investigate into the subject, and that he had placed himself in communication with the Provincial Government, in order to ascertain the nature of the claim urged by it.

In his report Mr. Clarkson states that he could not obtain any information; that he arranged to inquire again at a subsequent period; that on inquiry at that time he was still unprovided with any claim; and the Government therefore have arrived at the conclusion that no claim exists on the part of the Provincial Government.

I have therefore to intimate to your Honor that in the meantime steps are being taken to vest the property in the hands of trustees for the Natives of the Province, and to apply the rents which have been received. It will be evident to your Honor, that should any claim exist on the part of the Provincial Government, not a mail should be lost in making it known to the Hon. the Colonial Secretary.
I shall feel obliged to your Honor if you would acknowledge the receipt of this communication, and, if deemed necessary, by your communicating direct with the Hon. the Colonial Secretary.

I have, &c.,

J. H. ELLIOTT,
Postmaster-General.

No. 37.

His Honor the Superintendent, Otago, to the Hon. the Postmaster-General.

Sir,—
Superintendent's Office, Dunedin, 13th April, 1855.

The subject which has been brought under my notice by your letter of the date has on several previous occasions occupied my attention.

I am not prepared to say whether His Excellency the Governor has or has not the legal right to grant the reserve in question to the Native, but there are strong grounds for believing, were equity consulted, that no such act would be effected. I will briefly state the grounds upon which I base this opinion:

1. On the original survey plans of the town of Dunedin, signed by Mr. Kettle, Chief Surveyor, in 1848, the reserve in question is shown as divided into sections.

2. That, through instructions from the Chief Agent of the New Zealand Company, the sections forming the reserve in question, together with the other sections possessing frontages to the harbour, were reserved from sale.

3. That some of the early settlers, who had intended to make choice of some of the sections so reserved, felt aggrieved that their rights of selection had been thus restricted.

4. That the pieces of reserved land now sought to be allotted to the Native is said to have been provisionally reserved by Mr. Mantell for their use during the time he held the office of Commissioner of Crown Lands for the Province, and that His Excellency Sir George Grey confirmed the Commissioner's act.

5. That such reserve, if made, was made without the knowledge or sanction of the local authorities.

6. That a similar misappropriation of a public reserve in the town of Dunedin was attempted in the year 1853, but the attempt having come to the knowledge of the members of the Provincial Council before the Governor's assent could be obtained to the steps taken, the evil was arrested.

The evidence with regard to this particular case will be found in the Appendix to the Votes and Proceedings of the first Session of the Provincial Council of Otago, 1853–54, and relates to the Octagonal Reserve now partly occupied by the Carrill Monument.

7. That the precise time at which it became known to the Provincial Government that a grant of the reserve in question to the Native was proposed to be made probably cannot now be settled with certainty, but there can be no doubt that had the Government or the Provincial Council of that day believed that such a grant was ever likely to take practical effect, such an alienation of public property would have been strenuously opposed.

8. That the withdrawal of the land in question from sale, making it a public reserve and afterwards withdrawing that reserve and granting it, without the knowledge and consent of the local authorities, to private persons, whether Natives or Europeans, would be an act, if carried into effect, liable to be stigmatized as unjust to the original land purchasers in Otago, and to the general public also.

I should have communicated with the General Government on this subject before now, but since my interview with Mr. Clarke in May, 1854, I have been, hitherto, without success, endeavoring to discover some documentary evidence relative to the original reserve of the water frontage to Dunedin Harbour, which I have reason to believe is in existence, and which would possibly be of importance as indicating the object contemplated by such reserve.

I am about to institute further researches for these records amongst the papers of the late Captain Carrill, which have been kindly placed at my disposal by Mr. E. B. Carrill, of Dunedin, and I am without hopes that I may yet discover them. Whether my efforts in that direction may prove successful or otherwise, I believe the facts to remain much the same as I have stated them, and therefore the hopes to request that the Commissioner of Crown Lands may be instructed to pay over to the Provincial Treasurer all sums of money now in his hands which have been derived from the property in the character of rents.

I have further, in the name and on behalf of the Province, to record my protest against any act whereby the reserve in question may be transferred to the trustee, or otherwise used for Natives purposes.

I have, &c.,

J. H. ELLIOTT,
Superintendent.

No. 38.

The Hon. the Postmaster-General to His Honor the Superintendent, Otago.

Sir,—
Dunedin, 14th April, 1855.

I have to acknowledge the receipt of your Honor's letter of yesterday, in reply to mine of the same date.

As your Honor does not intimate whether you accede to my request that you would correspond direct with the Hon. the Colonial Secretary on the subject of my communication, I intend to forward
your Honour’s letter, together with a copy of mine, to which it is a reply, to the Hon. the Colonial Secretary by the next northern mail.

With reference to your Honour’s protest against the contemplated action of the General Government, I think it right to remind your Honour that it is now eleven months since an officer was specially deputed to place himself in communication with the Government of Otago to examine into the whole question, and to consider and report upon the claims of the Provincial Government to the reserve in question, and that your Honour’s silence during the interval which has elapsed appears to me to justify the conclusion arrived at by the Government, that your Honour was not prepared to substantiate any claim that might have been preferred, and did not desire any extension of time for further investigation.

I have etc.

J. HARRINGTON,
Postmaster-General.

No. 39.

His Honor the Superintendent, Dunedin,

His Honour the Superintendent, Otago, to the Hon. the Postmaster-General.

Sir,—I have the honor to acknowledge the receipt of your letter of the 18th instant, in reply to mine of the same date, on the subject of certain water frontage reserves in the town of Dunedin.

My letter should have informed you that I had on that day written to the Hon. the Colonial Secretary on the subject to which that letter referred.

From the tenor of the last paragraph of your letter there appears to be some misconception as to the steps taken by Mr. Clarke, when in Dunedin in May last, to obtain such information as it was in the power of the Provincial Government to afford on the subject of its claim to the reserves in question.

About the middle of 1883, Mr. Clarke called on me, and intimated that he was instructed by the General Government to ascertain what objections the Provincial Government had to make to the action of His Excellency Sir George Grey in making a reserve for Natives in Prince Street, Dunedin.

Ascertaining from Mr. Clarke to what reserve be referred, I stated the grounds on which the Government objected to an allotment of the land for Native purposes, at the same time informing him that although I believe documentary evidence was in existence which would sufficiently substantiate the objections urged by me, the discovery of this evidence would probably be attended with some difficulty.

I referred Mr. Clarke to the Commissioner of Crown Lands, in order that he might procure access to the original maps of the town of Dunedin, from which it would be seen that the frontage to the bay had been originally surveyed into sections, but that such sections had afterwards been withdrawn from sale and reserved for public purposes.

Mr. Clarke stated that he would call on me again before leaving Dunedin, in order to ascertain if I could afford him further information on the subject. He also (I believe at my suggestion) intimated his intention to write to me. I have ascertained that Mr. Clarke did call at my office again, but I was not fortunate enough to see him. No letter, however, from that gentleman can be discovered amongst the office correspondence.

In the manner above described the matter as between Mr. Clarke and the Provincial Government began and ended, and I concluded that that gentleman had been satisfied that the objections verbally urged by me were sufficient to deter the General Government from taking further steps for the allotment of the public reserve in question.

Since the date of my last communication to you I have discovered some portions of correspondence on the subject of the reservations of sections fronting Dunedin Harbour, and enclose extracts from them as follows:—

1. Extract from letter dated Dunedin, 15th June, 1887, addressed by C. H. Kellett, Esq., then Chief Surveyor of the New Zealand Company, to Colonel Wakefield, the Chief Agent of the Company.

2. Extract from letter dated 25th November, 1887, from Mr. Harrington, the Secretary to the New Zealand Company, to Captain Cargill, the Company’s Agent in Otago; and

3. A copy of the indenture thereon, in the handwriting of Captain Cargill.

I also enclose an authenticated copy of that part of the original survey map of Dunedin showing the sections in block 9 which appear to have been reserved by His Excellency the Governor for Native purposes. The evidence thus afforded, although not so complete as may yet be obtained, sufficiently proves that the Court of Directors of the New Zealand Company decided that the sections fronting the Dunedin Harbour should be withdrawn from sale to private individuals and reserved for public purposes, and that the withdrawal of the same from sale took place accordingly.

I have been informed that instructions have been received by the Commissioner of Crown Lands to pay to the Sub-Treasurer of the General Government the sum of $2,681 12s. 6d., being part of the money reserved by him for the tenancy in occupation of the reserve, and that the sum in question has, in compliance with such instructions, been transferred to the General Government account.

This act of the General Government has rendered it necessary that I should lay the matter before the Provincial Council, in order that an expression of their opinion may be obtained on the proposed alienation.

I have etc.

J. H. HYDE HARRISON,
Superintendent.

34
Enclosure 1 in No. 39.
Mr. C. H. Kentie to Colonel W. Wakefield.

Dunedin, 13th January, 1847.

Sir,—
I have to acknowledge the receipt of your despatch on the 7th inst., dated and numbered in the margin,* and to notice such points as need reply.

I shall also attend to the throwing up of those sections in the Upper Town, mentioned in the postscript of your letter 947, to meet the views of the Court.

I have, &c.,

Colonel W. Wakefield.

Enclosure 2 in No. 39.
Mr. T. C. Harrison, to Captain Carville.

My dear Sir,—

Thursday Night, 26th November, 1847.

In my letter this evening I forgot to mention that the instructions respecting water frontage, &c., had been received, and directions given to Mr. Keitel to carry them out.

Yours faithfully,

T. C. Harrison.

The letter is in Captain Carville's handwriting thus:—

T. C. Harrison, Esq., 26th November, 1847.

"Instructions as to water frontage being reserved for public use received by Colonel Wakefield and passed to Mr. Keitel. This will go so far after the position of town allotments."

The words in italics were underlined in the original.

No. 40.

The Hon. the Colonial Secretary to His Honour the Superintendent, Otago.

Sir,—

Colonial Secretary's Office, Wellington, 3rd June, 1855.

In your Honorable's letter of the 23rd April last, on the subject of certain water frontage reserves in the town of Dunedin, you conclude by stating that you would lay the whole case before the Provincial Council of Otago for the expression of their opinion thereon.

As I understand that the Provincial Council of Otago has passed certain resolutions on that subject, I regret that your Honor should not have yet communicated them to me; and as the General Government cannot continue to delay a decision on the question at issue, I have to request your Honour to be good enough to forward to me a copy of those resolutions by the return of post.

I have, &c.,

P. A. Webb.

No. 41.

His Honour the Superintendent, Otago, to the Hon. the Colonial Secretary.

Sir,—

Superintendent's Office, Dunedin, 5th June, 1855.

Referring to the last paragraph of my letter, No. 4350, of the 20th April last, addressed to the Honorable the Postmaster-General, on the subject of a certain public reserve in Princes Street, Dunedin, in which state it to be my intention to lay the matter before the Provincial Council then in session for an expression of opinion by that body thereon, I now do myself the honor to forward copy of the Report of the Select Committee that was appointed to look into the merits of the case, which Report was adopted on the 17th May.

It appears to me that any further remarks are unnecessary.

I have, &c.,

J. Hyde Harris.

Superintendent.

Enclosure 1 in No. 41.

Report of Select Committee upon His Honour's Message No. 6, Session XX.

Your Committee report that, after full inquiry into all the circumstances connected with the reserve in question, having carefully examined all existing documents bearing upon the subject, having also taken the evidence of several of the longest residents in the Province, among others that of the Rev. Dr. Burn, W. H. Cutten, and A. C. Stride, Esqrs., whose intimate acquaintance with the early affairs of the Province render their testimony of peculiar value, they have unanimously arrived at the following conclusions:

1. That in the original survey of Dunedin by the New Zealand Company's Surveyor, the late Mr. Keitel, the land referred to in the Message was laid off in common with the rest of the water frontage, into quarter-acre sections, open for selection under the New Zealand Company's land orders.

*There is no date on the margin of the letter.—B.B.
2. That prior to the first party of immigrants selecting under their land orders, the whole of the water frontage opposite what was expected to be the business part of the town was withdrawn from sale, with a view to the ultimate formation of a public quay or wharf, and for general purposes. That such withdrawal was made under the direction of the late Colonel Wakefield, the Principal Agent of the New Zealand Company in the Colony, under instructions of the Secretary in London, Mr. Harrington.

3. That several of the first immigrants insisted upon selecting the very spot alluded to in His Honor's Message, incumbent as it appeared upon for selection upon the official map of the town exhibited in New Zealand House before they left London, and that they were induced to waive their rights of selection solely on the ground that it had been withdrawn for public purposes, and would in fact enhance the value of the sites which they actually did select.

4. That from the arrival of the first settlers down to the present time the reserve in question has been partly used as the site of various public buildings; in the first instance an hospital having been erected upon it by the New Zealand Company, and subsequently immigrants' barracks, and stores for luggage, constabulary depot, &c., &c., by the Provincial Government.

5. That in 1850 Mr. Walter Mantell, the then Commissioner of Crown Lands, recommended His Excellency to set apart the land in question as a Maori Reserve, which recommendation appears to have had His Excellency's sanction.

6. That this recommendation was made and sanctioned without the knowledge or concurrence of the several parties interested, to wit, the Provincial Government and the land purchasers, whose rights were invaded by such reserve.

7. That the said reserve at the time of Mr. Mantell's retirement from office, which it was, in consequence of that gentleman having stripped his office of all official documents, the same action would have been taken to set the reserve aside as was successfully adopted with respect to another public reserve, known as Murray Place or the Octagon, which at the instigation of Mr. Mantell would have been granted as a site for a church, but for the strenuous action and protest of the Provincial authorities.

8. That the alienation of Murray Place (or the Octagon) would have been no more an act of confiscation and an arbitrary disregard of the vested rights of the land purchasers, as those rights were defined in the terms of purchase as between themselves and the New Zealand Company, and subsequently homogenized by the Imperial Government, than would be the alienation of the reserve now under consideration.

9. Your Committee therefore recommend that the foregoing facts be communicated to the General Secretary, under the full assurance that not only will the Crown Grant for the reserve in question be at once issued in terms of its original destination, but that the money which has been derived from the same will be restored to the Province as its rightful owner.

ALEXANDER RENEE,
Chairman.

Adopted 17th May, 1865.
CHARLES SMITH, Clerk of Council.

No. 42.
MEMORANDUM OF ALEX. CAIRES FOR THE HON. THE COLONIAL SECRETARY.
Princes Street South, Dunedin, Crown Lands Reserve.

A MEMORANDUM from the tenants of the above-named reserve has been lately sent to the Colonial Government in Auckland, and Mr. Alex. Cairns, of Dunedin, had the honor of submitting the subject matter of the said memorial to the Cabinet.

A desire to facilitate any further consideration which the Cabinet may be pleased to bestow upon the matter, induces Mr. Cairns to take leave to furnish the Hon. the Colonial Secretary as below, with a brief résumé of the principal points respectfully urged—

1. An equitable reduction of the advantageously high rents now chargeable, in consideration of the circumstances that these rents were originally agreed upon during an abnormally flourishing period of trade, and that the normal state of trade, which has since returned is inadequate to sustain the same high rents. The trustees of Church property in Dunedin have granted a reduction of rents of the nature here specified to their lessees.

2. To promote the permanent interests of the reserve property and of the tenants by granting ten latter leases for a term of years, instead of the present precarious tenures from year to year. The Provincial Government of Otago are letting the Harbour reclamation ground under leases of sixty-nine years, and the tenants of the reserve would be grateful if the Colonial Government would grant them a similar extension of leases.

3. The special desirability of negotiating immediately with the Provincial Government of Otago for the purpose of securing back approaches from the Harbour reclamation land to the tenants on the reserve before the present opportunity of doing so is missed. If the portion of the Harbour reclamation land which commands such approaches in question were leased away, an opportunity of permanently enhancing the value of the reserve property to all parties interested shall have been lost.

27th June, 1865.
ALEX. CAIRES.

No. 43.
The Under Secretary to Mr. Alex. Cairns.
Central Secretary's Office, Wellington, 17th June, 1865.

I have the honor to acknowledge the receipt of your letter of the date quoted in the margin [15th June, 1865], respecting the Dunedin Crown Lands Reserve, and have replied in the margin directed by Mr. Weld to inform you that it will receive the attention of the Government.

I have, &c.,
W. GIBBON,
Under Secretary.
No. 44.

MEMORANDUM of HON. POSTMASTER-GENERAL.

(Memorandum to be attached to correspondence about the disputed property in Princess Street, Dunedin, Otago.)

The Postmaster-General has carefully perused the accompanying documents and correspondence.

1. He regrets that when the Hon. the Native Minister, on the 3rd January, 1885, put the case for the opinion of the Attorney-General, he stated that the Superintendent of Otago and the Commissioner of Crown Lands, in 1883, urged that the land in question was not valuable for the Natives. The Postmaster-General was superseded not for a great portion of the year in question, and is not aware that he based any Provincial objection on any evidently justifiable grounds; indeed, he believes it impossible that any one in Dunedin would seriously do so. The Postmaster-General does not know whether there is any documentary evidence to show that such a plea was ever seriously urged. The Postmaster-General distinctly remembers that he recommended that a separate account should be kept, in order that the rents should go to the rightful owner; this is supported by Mr. O'Brien's letter of the 15th February, 1885, attached.

2. The Postmaster-General, when in Dunedin in April last, strongly urged the Provincial Government, both officially and privately, to bring forward any evidence they might possess in support of Provincial claims to the property in question. The appointment of a Select Committee was the result.

3. The Committee announced their unanimous decision, but do not forward the evidence on which it is founded. The Postmaster-General is of opinion that the points adduced require the greatest consideration at the hands of the Cabinet.

4. It would appear from the concluding paragraph that the Council are unaware that a Crown Grant has already been issued, which the Postmaster-General believes to be the case, in favor of another party. In cases of dispute on which judgment is likely to be pronounced, the parties have an opportunity of hearing all the evidence on both sides, and of stating the objections to the reception of any portion of the same. In this case the Government, who have to decide, apparently know all that is urged by the Provincial Government, but the Provincial Government are not put into possession of the evidence on the other side. It will be for the Cabinet to decide whether this is in accordance with the claims of justice.

5. The Postmaster-General formally declared that all he desired was that the Provincial Government should have a fair hearing—he adhered to that declaration. If the Cabinet on having this correspondence circulated for their reading, are of opinion that it is not essential to justice that the (Colonial) Government should know what is the evidence against them, then he submits to their decision. He refrains from any expression of opinion, desiring that the ultimate decision of the Cabinet should rest with those members of the Cabinet who have not been connected with the question. He shall feel it his duty to leave the question in their hands after this explanation.

Wellington, 15th June, 1885.

J. RICHARDSON.

No. 45.

MEMORANDUM by NATIVE SECRETARY for the HON. THE POSTMASTER-GENERAL.

The Native Secretary called the attention of the Hon. the Postmaster-General to the following passage in his Memorandum of 16th June, on the reserves at Dunedin and Port Chalmers, Otago. Speaking of the Report of the Select Committee of the Provincial Council, 17th May, he says that the points adduced require the "greatest consideration at the hands of the Cabinet." He would feel much obliged if the Postmaster-General would kindly state, categorically, what points he considers of the greatest importance in order that the Native Secretary may not wait due reference to them in the Memorandum on the question which he is preparing for the Cabinet.

16th June, 1885.

WALTER MASTILL.

No. 46.

Reply of the Hon. the POSTMASTER-GENERAL to the NATIVE SECRETARY'S MEMORANDUM.

With reference to the Native Secretary's Memorandum of the 16th June on the Princess Street Reserve, the Postmaster-General would reply—that the points referred to are those contained in clauses 1-2, 4, 6, 7, 8, and 9 of the Report of the Select Committee on His Honor's Message No. 8, 1884, 1885, on which the Select Committee lay great stress.

19th June, 1885.

J. RICHARDSON.

No. 47.

MEMORANDUM by NATIVE SECRETARY on Native Reserves at Port Chalmers and Dunedin.

I have carefully read the latest documents herewith upon this question. It still to my mind remains a very simple one.

It is urged:

1. That the Dunedin Native Reserve was originally laid off in town sections. Of this there seems no doubt.

2. That it, with much more, of the water frontage, was afterwards, but before any selection by purchasers had taken place, reserved from selection. Of this there is no doubt.
3. That the object of this reservation was to keep the water frontage open for public use. It appears that in consenting to the reservation the New Zealand Company had this object in view. On the period and extent of adherence to this intention I shall have to refer again.

4. The facts of the matter as Native Reserves by direction of His Excellency the Governor of the site at Dunedin and that at Port Chalmers, of the purchase for Government of a frontage section at the latter place, in order to add it to the Native Reserve there, and of the approval of these reserves by the Governor, are not questions.

5. So that, after all, the question narrows itself to one of the Governor’s power at that time to dispose of these lands; of his intention there is no doubt asserted or sustainable.

6. In communicating to the Principal Agent of the New Zealand Company the amended terms of purchase for the Otago Association Block, and the information that the New Zealand Company had consented to increase the number of properties to be sold and settled by the Otago Association to 2,400, Mr. Harrington, on the part of the Company, distinctly admits the right of the local Government to make in the Otago Block reserves for the Natives in addition to those lands, which, as they were merely excluded from the purchase, were scarcely to be considered Native Reserves under the New Zealand Company’s scheme. There can, I submit, be no doubt that the local Government possessed a power, thus recognised by the Company which alone would be the territorial leisure by its exercise.

7. At the time when I recommended these reserves, the Company was functo. The Otago Association, having failed to dispose of more than a small fraction of the lands intrusted to its agency, had also depressed; and although, to the extent of honoring such few land orders as the Colombo Land and Immigration Commissioners could dispose of, and maintaining the old price of the surveyed sections, to the satisfaction of our Government. But the comments of my friends, that there are persons disposed to be adherent to ‘so far as conveniently be,’ and the lands administered in “general conformity” with them, was really no loss to the community in the prospect of abandonment of terms of purchase which had never been strictly adhered to and terms of purchase which has never been enforced. By 13th December, 1862, the legal control over the land had devolved upon Her Majesty, whose representative, on 3rd June, 1863, approved of these reservations, and I am sure that those actions at Dunedin were reserved as water frontages to be kept open as a wharf. I refer to the letter of Mr. Gillies in the correspondence relative to the Manse site, which adjoins the Dunedin Native Reserve, and includes all of which in the early days of the settlement was supposed to have any value. From this I learn that at, as well as other valuable portions of the more northerly water frontage, were from the earliest days of the settlement appropriated to other purposes.

8. I have formerly recorded the manner in which all the best sites of this so-called Wharf Reserve were parcelled out. So it remained until the proclamation of the Constitution, when by regulations under one of the first Acts, No. 2, of the Provincial Council, it was sought to prevent any one landing anything anywhere except on the jetty, and the occupant of the wharf, marked on one of the annexed tracings was charged before the bench, in my presence, with having landed coal at his own door. Since this time the local authorities have, I believe, filled in the harbour along all this disused frontage. It has therefore gone through three stages—

1. Water frontage occupied by private individuals.
2. Water frontage which it was illegal to use.
3. An irregular frontage to reclaimed land.

9. It is said that from the arrival of the settlers to the present time, it (meaning, I suppose, the Native Reserve) has partly been used as a site for public buildings. From December, 1866, to January 1866, I myself had no building upon it but a wretched shanty used by a blacksmith who had squatted there. No public buildings were erected there until after His Excellency had approved of it as a Native Reserve.

10. In making my recommendation of these reserves, I was merely discharging my duty to the Government of which I was an officer, by advising it to remedy the wants of a people whom it was bound to protect. I am charged with not having obtained the concurrence and sanction of the provincial Government. That would scarcely have been a part of my duty, even had that institution existed at the time.

11. It only remains for me, with a regret equal to that which he expresses, to remove misconception into which the Hon. the Postmaster-General appears to have fallen. There is not to my knowledge any documentary evidence of his having used the plea that the land was too valuable for the Natives. He did, however, advance that plea towards the close of the conversations, to which I objected when I first, as I thought, successfully refused every other which he had used, but so far from conceding in Mr. Colin’s, the Commissioneer of Crown Lands, immediately pointed out to me, for myself, the surprise at such an argument from such a source deprived me for the moment of the power of replying.

While I willingly acquit my hon. colleague of having the least desire now to advance such a plea, I cannot believe that it is one which would find no advocates in Dunedin, or indeed any other town in New Zealand.

On the contrary, the unexpected increase in the value of these reserves is undoubtedly and naturally the cause of the opposition to their appropriation to Native purposes; so one can suppose that there would be so strong a feeling against it were they of a crossing value now as at the time when that appropriation was made.

12. I would remind my colleagues that the reserves in dispute are two—1. At Dunedin, 5 acres; 2. At Port Chalmers, 1 acre 3 roods 24 perches.

19th June, 1865.

Walter Mantell.

P.S.—I have, since writing the foregoing, received the minute of some date of the Hon. the Postmaster-General. I do not at present offer any remark upon it.

Walter Mantell.

* As the Otago Council of the period cannot be found, I give this from memory only.
No. 42.

His Honor the SUPERINTENDENT, Otago, to the Hon. the COLONIAL SECRETARY.

Superintendency Office, Dunedin, 13th July, 1865.

Sr,—

Referring to the correspondence that has passed on the subject of a reserve of land in Princess Street, Dunedin, which is held by some persons out of Otago to be a Maori Reserve, but which my predecessor, as well as the Provincial Council, most emphatically deny, I have now the honor further to express the views of Government as to the justice of the claims of this Government.

The land referred to was originally surveyed into sections for sale, but was afterwards specially withdrawn and set apart with a view to the ultimate formation of a public quay or wharf; and a part of Dunedin was sold with the reserve in that position. By some means, and in the view of this Government most unjustifiably, the land was afterwards set apart by Mr. Commissioner Mautell for a Maori Reserve, but at a time and under circumstances which render the reserve for that purpose unfair to Dunedin and unjustifiable as a matter of policy, it having been already acknowledged as a reserve for a quite different purpose, and which would have benefited Dunedin, while on the contrary a Maori Reserve in the centre of the city is most injurious.

I regret that the letters of my predecessor, supported as they have been by so explicit and convincing a report on the subject from the Provincial Council, have not already had the effect of inducing you to instruct the Sub-Treasurer to hand over to the Provincial Government the money he at present holds until the question is settled, and I regret further that you have not yet entirely abandoned all claim to the land in question on behalf of the Maoris; but if you are still uncertain that this course ought to be pursued, I have the honor to request that you will still further let the question rest until the Assembly meets, in order that it may be considered by that body, and that the claims of the European population of Otago may be heard through their representatives.

This course I feel assured will meet with your approbation, as being the most satisfactory to all interests concerned, and as affording the most full investigation of the claims of both parties which could be given.

I have, &c.,

J. RICHARDSON,
Acting Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 43.

His Honor the SUPERINTENDENT, Otago, to the Hon. the COLONIAL SECRETARY.

Wellington, 14th July, 1865.

Sr,—

As Acting Superintendent of the Province of Otago, and feeling it necessary, though deprived of the advice of my Executive by my absence in Wellington, not to delay an expression of my opinion on the case of the Princess Street Reserve, I have the honor to request that no decision be arrived at by the Government which will tend to the issue of a Crown Grant until such time as the Provincial Government have had an opportunity of appealing to the House of Representatives for a full investigation into all the circumstances of the case, an appeal which I have felt it to be my duty as Acting Superintendent to recommend.

I have, &c.

J. RICHARDSON.
Acting Superintendent of the Province of Otago.

The Hon. the Colonial Secretary.

No. 50.

The Hon. the COLONIAL SECRETARY to His Honor the SUPERINTENDENT, Otago.

Sr,—

I have to acknowledge the receipt of your Honor's letter of the 14th instant, requesting that no decision be arrived at by the Government, involving the issue of a Crown Grant of the Princess Street Reserve at Dunedin, until such time as the Provincial Government of Otago have had an opportunity of appealing to the House of Representatives for a full investigation into all the circumstances of the case.

In reply I have to inform your Honor that the Ministry, after considering the opinion of the Hon. the Attorney-General, a copy of which I enclose, see no reason to doubt that the Princess Street Reserve is a Native Reserve under the operation of "The Native Reserves Act, 1866." No action, however, will be taken in reference to the disposal of the proceeds of such reserve, pending the decision of the Government as to the mode of dealing with the proceeds of Native reserves.

I have, &c.

J. C. RICHMOND.

His Honor the Superintendent, Otago.

Enclosure in No. 50.

OPINION of the Hon. the ATTORNEY-GENERAL in the matter of the Princess Street Reserves.

I have again considered the question but see no reason to alter my former opinion, viz., that the land in question was duly reserved as a Native Reserve, and is under the operation of "The Native Reserves Act, 1866," nor do I see any ground upon which either the Provincial Government of Otago, or any municipal body constituted in Dunedin, or any private individual, can impugn such appropriation of the land.

It is clear that in 1852-53 the land was set apart as a Native Reserve with the direct sanction of the Governor, and I can see no sufficient ground for disputing the Governor's legal right so to appropriate
the land at that time. The rights of the New Zealand Company had devolved on the Crown by the surrender of the Company's charter in July, 1860. The right of the General Assembly had not come into existence under the Constitution Act.* Meantime the Governor was invested with all the rights and powers vested in the Crown or the Company, amongst others the power of setting apart reserves. I must add, however, that so much has been done in the contemplation of the founders of the settlement to make reserves for the Natives in like manner as for public purposes (see the 6th paragraph of the original Prospectus of Settlement of 1845). There is, it is true, evidence of an intention on the part of the New Zealand Company to set apart the land in question, forming part of the water frontage at Dunedin, as a public wharf or quay, which might be placed under the control of a municipal body, if and when such a body might be created. In pursuance of that intention, the Company's Surveyor was instructed, in laying out the town, not to lay off the water frontages in allotments for purchasers. But in my opinion nothing done by the Company operated so as to limit their discretion as to the appropriation of the land for any other than such intended purpose. The intention, however clear and express, so far as I can judge, never passed into the form of a contract binding the Company to appropriate this particular space of water frontage for the specific purposes of a wharf or quay. On the contrary, the general course of the Company's operations in founding the settlement shows that an almost unlimited discretion in such matters was left to and exercised by them. No individual purchaser under the Company had in my opinion a claim for specific relief in this matter under any contract, express or implied. Nor could the aggregate body of settlers represented by the Otago Association have asserted any claim against the Company, for, as between them and the Company, the only engagement which the Company entered into was of a general kind, viz., that reserves should be made for public purposes.

The being therefore no equitable condition binding the discretion of the Company in this matter when the Company surrendered its charters, the land devolved to the Crown unencumbered with any such condition. Nor can it be said that the Province has any right in the matter: the Province was not in existence at the time the reserve was set apart; nor could it be said that it succeeded in any way to the equities, real or supposed, of the original settlers. It is a new and distinct political organization.

For these reasons, I am of opinion that the validity of the reservation of the land in question made for the Natives by Governor Grey in 1852-53 cannot now be impugned, and that the land is subject to the operation of "The Native Reserves Act, 1856." I recommend, however, that nothing be done to preclude the Provincial Government of Otago from submitting any case on the other side they may have, or believe they have, to the judgment of the General Assembly which is on the point of meeting.

29th June, 1865.

HENRY SKEWELL.

No. 51.

REPORT OF SELECT COMMITTEE OF HOUSE OF REPRESENTATIVES ON THE DUNEDIN AND PORT CHALMERS RESERVES.

The Select Committee on the Dunedin and Port Chalmers Reserves have the honor to report that their labors have chiefly been directed to the examination of documents bearing on the Dunedin Reserves, including the report of a Select Committee of the Provincial Council of Otago, a copy of which, with such evidence as has been taken, is annexed.

From the evidence it appears that the land comprising the Otago Block was purchased from the Natives, on behalf of the New Zealand Company, on the 29th July, 1844, by Captain Symonds, Government Agent; Mr. Tuckett, Chief Surveyor to the New Zealand Company; and Messrs. Clark and Scott; and that in the deed certain reserves were made by the Natives, but which did not comprise any of the lands in the towns of Dunedin or Port Chalmers; and the deed contained no provision for any further reserves on behalf of the Natives. Prior to the purchase of this block in 1844, the New Zealand Company had entered into an arrangement with the Otago Association for the cession of the town of the Otago Settlement; and accordingly the block of land was handed over to the Association.

On the 20th October, 1846, in a letter addressed by Mr. T. C. Harrington, the Principal Secretary to the New Zealand Company in London, to Colonel Wakefield, the Principal Agent of the Company in New Zealand, he (Mr. Harrington) conveys the opinion of the Court with regard to water frontages in the following words:

"With regard to water frontages, the opinion of the Court, after consultation with Mr. Cargill, is, that it would involve no general advantage to the settlement if such frontages, instead of being sold to private individuals, remain in every instance the property of the public, or of the Municipality as the representatives and trustees of the local public. The acquisition of them by private persons may, indeed, hold out an inducement for the early erection of wharves and quays, but such extensions may be otherwise secured by the Municipality; and it is considered that whatever may be the extent of the first advantage, it would be dearly purchased by a greater ultimate inconvenience."

This opinion of the Court was subsequently confirmed by the opinion of the founders of the settlement.

The report of the committee was conveyed in a letter addressed to Mr. T. C. Harrington, dated 21st October, 1846. They are as follows:

"Int. That Colonel Wakefield, in conjunction with the Governor or officer appointed, should make the requisite appropriations for fortifications, Custom House sites, and all other Crown purposes.

*I may note that a variety of transactions which would be highly inexpedient to discuss rest upon the same foundation."—H. S.
2nd. That all water frontages, from about high water-mark, be reserved for public use, as at Glasgow, Bordeaux, &c., &c. Such parts of the same as could not be improved immediately, or are required by the public, will of course be let by the Municipal authorities, upon lease and on encouraging terms, to private parties, but with due provision against anything like the permanent system on the River Thames, in London. 3rd. That Colonel Wakefield, assisted by his surveyors, be requested to appropriate sites for all the other purposes referred to in clause 12, not omitting the principal town, and under the head of 'Public Buildings,' a site for one Church, with school and playground for the children; and also in the case of Dunedin, a site for a College."

It appears that these instructions were carried into effect by Mr. Charles Kettle (the principal Surveyor of the New Zealand Company in Otago, and under whose directions the town of Dunedin was laid out), as notified by him in his letter to Colonel Wakefield, dated 18th June, 1847, and from which the following is an extract:—

"I shall also attend to the throwing up of those sections in the upper town (Dunedin) mentioned in the postscript of your letter No. 34, 47, to meet the views of the Court."

This is also confirmed by a letter from Mr. T. C. Harrington to Captain Cargill, dated 25th November, 1847, and which runs thus:—

"In my note this evening I forgot to mention that the instructions respecting water frontages, &c., &c., had been received, and directions given to Mr. Kettle to carry them out."

The foregoing letter is backed, in the late Captain Cargill's handwriting, as follows:—

"Instructions as to water frontages being reserved for public use, received by Colonel Wakefield, and sent on to Mr. Kettle. This will so far alter the position of town allotments."

The first body of settlers arrived in Otago in 1846, prior to which the original map of Dunedin had been altered by the authorising reservation of all sections fronting the harbour in accordance with the above instructions. Thus, on the first selection of town allotments in Dunedin, the holders of land orders were permitted to select any of the water frontages, as is shown by the evidence of the Rev. Dr. Burna and Mr. W. H. Cuddy, taken before a Select Committee of the Provincial Council of Otago at its last session. Subsequently the New Zealand Company having, in July, 1850, ceased its colonising operations and resigned its charter, the then Governor, Sir George Grey, on the recommendation of Mr. Mantell, appropriated for Native purposes that portion of these water frontages which form the subject of this inquiry. The recommendation was made in a letter dated the 18th April, 1850, from Mr. Mantell to the Civil Secretary, and on the margin of which there is a Memorandum signed by the Governor, dated 3rd June, by which it appears that the recommendation was adopted. No Proclamation, however, appears to have been published on the subject, nor has any Crown Grant been issued up to the present time.

After a careful consideration of the above facts, as to the equity of the case, your Committee have arrived at the conclusion that the land forming the Dunedin Reserves, having been reserved from sale for a specific public purpose, was wrongfully set aside for the use of the Natives, and therefore recommend that a Crown Grant be issued in favour of the Municipality of Dunedin, as trustees and representatives of the local public, as was evidently the intention of the New Zealand Company, conveyed in the instructions of Mr. T. C. Harrington to Colonel Wakefield.

In reference to the reserve at Port Chalmers, your Committee were unable to obtain any evidence to show that any portion of the land comprised therein had been previously set aside for public purposes, and therefore are no reason to alter the present arrangement for its disposal of it.

WELLINGTON, 25th August, 1883.

WILLIAM H. REYNOLDS.

PROCEEDINGS OF THE COMMITTEE.

Friday, 4th August, 1885.

Present:—Mr. Reynolds, Mr. Featherston, Mr. Richmond, Mr. Wilkin, Mr. R. Graham, and Mr. Taylor.

On motion of Mr. Richmond, seconded by Mr. Featherston, Mr. Reynolds was appointed Chairman.

Committee then adjourned to 5th August, as half-past 10 a.m.

Saturday, 5th August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Wilkin, Mr. Graham, Mr. Taylor, and Mr. Richmond.

Papers read—Letter from Mr. Mantell to Attorney-General, dated 3rd January, 1845. Letter from Mr. Sowell to Colonial Secretary, dated 29th June, 1845. Memorandum from Postmaster-General to the Cabinet, dated 15th June, 1845. Memorandum from Mr. Mantell to the Cabinet, dated 19th June, 1845. Letter from Postmaster-General to Governor of Otago, dated 14th April, 1845. Letter from Superintendent of Otago to Postmaster-General, dated 15th April, 1845. Letter from Colonial Secretary to Superintendent of Otago, dated 24th March, 1845. Letter from Superintendent of Otago to Colonial Secretary, dated 15th April, 1845. Letter from Mr. Kettle to Mr. Mantell, dated 15th January, 1845. Letter from Mr. Kettle to Mr. Wakefield, dated 18th June, 1847. Letter from Mr. Harrington to Captain Cargill, dated 23rd November, 1847. Letter from the Superintendent of Otago to Postmaster-General, dated 25th March, 1845. Memorandum of Select Committee of Provincial Council of Otago upon Message No. 4, dated 17th May, 1845. Letter from Acting Superintendent of Otago to Colonial Secretary, dated 14th July, 1855. Letter from Major Richardson to Colonial Secretary, dated 25th July, 1855.

Committee adjourned to Monday, 7th August, at 10 a.m.
Monday, 6th August, 1885.
Present:—Mr. Reynolds, Chairman; Mr. Taylor, Mr. R. Graham, Mr. Richmond, and Mr. Wilkin.

Committee adjourned to Wednesday, 9th August, after examining Mr. Mantell.

Wednesday, 9th August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Wilkin, Mr. Stafford, Mr. Richmond, Mr. Taylor, and Mr. R. Graham.

Committee adjourned without fixing any time for next meeting.

Saturday, 12th August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Wilkin, Mr. R. Graham, Mr. Stafford, Mr. Taylor, Mr. Richmond.

Letters from Mr. Harrington, Secretary of the New Zealand Company, to Colonel W. Wakefield, the Company's Principal Agent in New Zealand, dated the 20th and 21st October, 1846, were read by the Chairman.

A letter from Captain W. Cargill to T. C. Harrington, Esq., dated 21st October, 1846, and referred to in the preceding letter, was read by the Chairman.

A conversational discussion took place, and it was ultimately resolved that the meeting should adjourn until 10 o'clock a.m., Tuesday, 16th August, and that in the meantime James Macandrew, Esq., should be summoned to attend the Committee.

Tuesday, 16th August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Taylor, Mr. R. Graham, and Mr. Wilkin.

The minutes of the previous meeting were read and confirmed.

Mr. Mantell's evidence in writing was read:

1. Were the Natives made aware that the land in question was set aside as reserves for them?
   —Yes.

2. When you recommended this as a Native Reserve, how was it marked on the plan?—It was marked as a Public Reserve, generally understood as reserved for quarry and wharves.

3. Did the Natives make any use of this reserve afterwards?—I do not remember.

4. Were the reserves at Port Chalmers part of the plan of the township?—Port Chalmers Reserves consist of one quarter of an acre of Public Reserve, two unsold one-quarter acres of town sections, one-quarter acre No. 401 purchased by Government to complete reserve, and remainder, portion of town belt.

Mr. James Macandrew, in reply to questions put by Mr. Wilkin, said—I cannot give you any information as to the precise date of the reserves referred to being officially known to the Provincial Government; but it was first made aware of it about the year 1869, when application was made for some Crown Grants for the land adjacent. I was not in Dunedin when the first selections were made. I do not remember ever having seen in the Town of Dunedin a plan with this specific object marked on it, but I was well aware that the water frontage had been reserved for public purposes subsequent to its having been laid off in one-quarter acre sections.

The Committee adjourned sine die.

Monday, 21st August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Wilkin, Mr. Taylor, Mr. R. Graham, Mr. Richmond.

The minutes of the previous meeting were read and confirmed.

Various documents and papers having been referred to, as also the evidence previously taken, a Report was drawn up by the Committee and ordered to be submitted to the House forthwith.

The Committee adjourned sine die.

Friday, 25th August, 1885.

Present:—Mr. Reynolds, Chairman; Mr. Taylor, Mr. Wilkin, Mr. Richmond, and Mr. Graham.

The minutes of the previous meeting were read and confirmed.

The Report of the Committee was submitted, and on the motion of Mr. R. Graham, the words "as to the equity of the case" were inserted between the words "facts" and "your" in the last paragraph but one.

The Report was then agreed to, and having been signed by the Chairman, was ordered to be presented to the House, and the meeting adjourned sine die.

APPENDIX.

Message No. 4.—(Brought up by Mr. Bennie, May 17.)

Your Committee report, that, after full inquiry into all the circumstances connected with the reserve in question, having carefully examined all existing documents bearing upon the subject, having also taken the evidence of several of the owners settled in the Province, among others, that of Mr. B. Foster, W. H. Guiter, and A. C. Strode, Esquires, whose intimate acquaintance with the early affairs of the Province renders their testimony of peculiar value, they have unanimously arrived at the following conclusions:—

1st. That in the original survey of Dunedin by the New Zealand Company's Surveyor, the late Mr. Keate, the land referred to in the Message was laid off, in common with the rest of the water frontages, into quarter-acre sections, open for selection under the New Zealand Company's land orders.
2nd. That prior to the first party of emigrants selecting under their land orders, the whole of the water frontage opposite what was expected to be the business part of the town was withdrawn from sale with a view to the ultimate formation of a public quay or wharf, and for general public purposes; that such withdrawal was made under the direction of the late Colonel Wakefield, the Principal Agent of the New Zealand Company in the Colony, under instructions of the Secretary in London, Mr. Harrington.

3rd. That several of the first immigrants insisted upon selecting the very spot alluded to in His Honor’s Message, inasmuch as it appeared open for selection upon the official map of the town exhibited in New Zealand House before they left London, and that they were induced to waive their right of selection solely on the ground that it had been withdrawn for public purposes, and would, in fact, enhance the value of the sites which they actually did select.

4th. That from the arrival of the first settlers down to the present time, the reserve in question has been partially used as the site of various public buildings,—in the first instance, an hospital having been erected upon it by the New Zealand Company, and subsequently, immigrants’ barracks and stores for luggage, constabulary depot, &c. &c. by the Provincial Government.

5th. That in 1853 Mr. Walter Mantell, the then Commissioner of Crown Lands, recommended His Excellency to set apart the land in question as a Maori Reserve, which recommendation appears to have had His Excellency’s sanction.

6th. That this recommendation was made and sanctioned without the knowledge or concurrence of the several parties interested, to wit, the Provincial Government and the land purchasers whose rights were invaded by such reserve.

7th. That the circumstances have been known even at the time of Mr. Mantell’s retirement from office,—which it was not, in consequence of that gentleman having stripped his office of all official documents,—the same action would have been taken to set the reserve aside as was successfully adopted with respect to another Public Reserve, known as Money Place, or the Octagon, which, without the intervention of Mr. Mantell would have been granted as a site for a church, but for the strenuous action and protest of the Provincial authorities.

8th. That the alienation of Money Place (or the Octagon) would have been no more an act of consummation and an arbitrary disregard of the vested rights of the land purchasers (as those rights were defined in the terms of purchase as between themselves and the New Zealand Company, and subsequently confirmed by the Imperial Government,) than would be the alienation of the reserve now under consideration.

9th. Your Committee therefore recommend that the foregoing facts be communicated to the General Government, under the full assurance that not only will the Crown Grant for the reserve in question be at once issued in terms of its original destination, but that the money which has been derived from the same will be restored to the Province as its rightful owner.

Alex. Bentel,
Chairman.

Minutes.—April 26th.

Committee met. Present—Messrs. Hepburn, Burns, W. H. Beynon, and Bennie (Chairman).—Mr. Burns read the original resolution on the subject, submitted to the Provincial Council by the Provincial Secretary.

It was then resolved—To take the evidence of the Rev. Dr. Burns, minister of the first Presbyterian Church of Otage, on the subject of the original reserve, and its subsequent alienation, if any. The Clerk was instructed to get the correspondence upon the subject that was laid on the table of the House for the information of the Committee.

Resolved—To take the evidence of W. H. Cussen, Esq., Commissioner of Crown Lands, Otage.

Resolved—to desire the attendance of Mr. A. H. Ross, of the Survey Office, to produce the original map of the City of Dunedin, signed by Mr. Chief Surveyor Keith, and having the reserves located as allocated.

April 27th.

Committee met. Present—Messrs. Bennie, Burns, Macandrew, and Hepburn.

The Rev. Dr. Burns attended, as also Mr. Ross and W. H. Cussen, Esq., and replied to questions put to them.

May 2nd.

Committee met. Present—Messrs. Macandrew, Hepburn, and Bennie (Chairman).

Resolved—To take the evidence of A. C. Strode, Esq., R.M., and Native Commissioner.

May 4th.

Committee met. Present—Messrs. Burns, Macandrew, and Bennie.

Mr. A. H. Ross attended with the latter book of the Survey Office for 1854, and letters bearing on the subject were read.

It was resolved to send a series of questions on the subject to A. C. Strode, Esq., for his reply.

May 11th.

Mr. Strode having forwarded his reply, as desired, the Committee considered and adopted their report.
EVIDENCE.

The Rev. Dr. Burns, examined:—

1. You were officiating as minister to the first body of settlers arriving in Otago? I was.
2. In what year did you arrive? In 1848.
3. Have you any knowledge of a reserve being laid off in the Town of Dunedin, fronting the water, from Jetty Street southwards, by Captain Cargill, as Resident Agent of the New Zealand Company? There was such a reserve laid off for wharves. Instructions were given to Mr. Ketela, the Chief Surveyor, to strike out the whole of the sections fronting the water, and I have reason to know that this was done. It was done by orders of the Resident Agent of the New Zealand Company. The parties selecting under the first ballot were exceedingly sorry that the whole of the town sections fronting the water had been thus cut off and reserved, so that they could not select them. The map that was submitted to the first selectors had these frontage sections simply coloured pink, and Captain Cargill informed them that these sections were reserved. The only special reserves then were for the Church, the Maori, and the School.
4. You have asked why these frontages were reserved? There had been some discussion about thus reserving the water frontage, and the Chief Surveyor had instanced the case of London, in which city the not following such a course had been found extremely inconvenient.
5. Have you any documents that would give the Committee any information on the subject of that reserve? No; but I recollect when the Ordinance for reclaiming the harbour was sent to the Governor of Auckland for his sanction, it was returned on the ground that the parties owning the water frontages had not been dealt with; when it was stated that the three reserves before mentioned were all that existed having such frontage.
6. When did that occur? During the Superintendency of Major Richardson.
8. Then you have never heard of any such reserve as one for Native purposes having been made there? No; this is the first I have heard of it. (Initialled) T. B.

Mr. A. H. Ross, Survey Office, examined:—

1. What is your occupation? I am Chief Draftsman in the Survey Office.
2. You produce two maps—what are they? One is the original map of the Town of Dunedin, south end, showing blocks and sections as originally laid off by the Surveyor. The other is a map of the north end of Dunedin, showing areas having water frontages as “Reserves for Public Purposes.”
3. Are these maps kept in strict custody? They are; they are kept in the safe at the Survey Office, and are never allowed out of the office except in charge of an officer of the department. (Initialled) A. H. R.

W. H. Currant, Esquire, examined:—

1. Have you any knowledge of a reserve being laid off fronting the water in the Town of Dunedin southward from Jetty Street, by Captain Cargill, as Resident Agent of the New Zealand Company? Yes.
2. If so, when was this reserve made, and for what purpose? The first I knew of the reserve being made was upon my landing in the Province, in March, 1843. I was one of the early purchasers of land under the New Zealand Company, and was desirous of selecting one of the sections that had been laid out fronting the water. Captain Cargill, the New Zealand Company’s Agent, declined to allow me to make such selection, stating that no sections of the water frontages would be sold, as they would be reserved for a quay fronting the water, and the selection of any of them by any private person would interfere with any future improvement of the harbour. Consequently I selected elsewhere. I was one of the first purchasers, and the only available spot that I could then secure was in Stuart Street. The whole frontage was reserved as far as Felicity Bay.
3. Do you know of any reserve for Native purposes in Prince Street? As Commissioner of Crown Lands, I know of such a reserve. I never was aware of this land being reserved for Native purposes until I became a Crown Lands Commissioner, in the year 1866.
4. Are you aware by whose orders it was alienated, and upon what grounds? Mr. Mantell, as Crown Lands Commissioner, recommended by letter to the Governor that a portion of the water frontage, the piece of land in question, be reserved for the Maoris, as a place on which to draw up their boats, &c., and also a piece at Port Chalmers for the same purpose; and the Governor authorized him to make a reserve for that purpose. The land is not yet alienated; the fee-simple is still in the Crown.
5. Is there any portion of this frontage lost? As Crown Lands Commissioner, I found that parties were continually squatting upon this frontage reserve, and I wrote requesting that I might be allowed to let it for short periods, and received permission to do so. This was accordingly done, and the land yields a revenue of about £2,000 a year; at present about one-third of the reserve is occupied by Provincial Government Buildings, and is consequently value.

W. H. Currant.

Snr.—

Provincial Council Chambers, Dunedin, 26th April, 1865.

You are requested to attend a meeting of the above Committee, at 10 o’clock tomorrow morning, for the purpose of giving evidence relative to the reserve of the water frontage of Dunedin, and to bring with you the original map of Dunedin, and signed by Mr. Ketela, the late Chief Surveyor, sketched to show the reserves.

I have, &c.,

A. H. Ross, Esq., Survey Office.

A. H. Ross, Esq., Chairman.
REVISED SCR.——

In accordance with the wishes of a Select Committee of the Provincial Council, I have the honor to request that you would attend at the office of the Secretary for Public Works, at 10 o'clock a.m. to-morrow, to give evidence relative to a reserve of the water-frontage of the City of Dunedin, and any alienation of the said frontage, and to bring with you any documents that may throw light upon the subject of such reserve, or of such alienation, if made, that you may have.

A. REEVES,
Chairman.

Rev. Thomas Burns, D.D., Dunedin.

SIR,—

I am desired by the Select Committee of the Provincial Council, upon Message No. 4, relative to a reserve in Dunedin, to request that you would be so good as to attend at the office of the Secretary for Public Works, at half-past 10 o'clock to-morrow morning, to give evidence relative to the reserve of the water-frontage of the City of Dunedin, and any alienation of the said frontage, and to bring with you any documents that you may have that may throw light upon the subject of such reserve, or of such alienation, if made.

A. REEVES,
Chairman.

W. H. Cutten, Esq., Dunedin.

SIR,—

In accordance with the wishes of the Select Committee of the Provincial Council on Message No. 4, I have the honor to request, that you would be so good as to furnish written replies to the enclosed questions relative to a reserve for public purposes in the City of Dunedin.

A. C. Strode, Esq., B.M.,
Native Commissioner for Otago, &c., &c., &c.

A. REEVES,
Chairman.

Native Commissioner for Otago, &c., &c., &c.

QUESTIONS proposed by the Select Committee of the Provincial Council upon Message No. 4, relative to a Reserve for Public Purposes in Dunedin, to A. C. Strode, Esq., B.M., &c., &c., &c.

1. You are the Resident Magistrate for Dunedin, and Native Commissioner for the Province of Otago?
2. When did you arrive in the Province?
3. Have you any knowledge of a reserve being laid off for public purposes fronting the water, and running southward from Jemmy Street, Dunedin?
4. If so, do you remember when the said reserve was laid off, and by whose authority?
5. Are you aware of any steps having been taken subsequently with the view of diverting the said reserve to any other purpose than that of a Public Reserve?
6. If so, by whose authority was such diversion proposed to be made?

REPLIES to Queries proposed by the Select Committee of the Provincial Council upon Message No. 4.

1. I am the Resident Magistrate for Dunedin, and Commissioner for Native Reserve for the Province of Otago.
2. I first arrived in this Province in the month of April, 1846.
3. I have no knowledge of the purpose for which the piece of land referred to was originally laid off. As one of the general public, I was always led to understand it was a Public Reserve.
4. I do not know when the reserve was originally laid off, nor by whose authority it was so done.
5. Having been informed, I think in the year 1853, by Mr. Mantell, the then Commissioner of Crown Lands for this Province, that he had recommended for the consideration of the Governor-in-Chief, that the piece of land indicated should be appropriated as a Native Reserve; and I also recollect Mr. Mantell subsequently informing me that his suggestion had been approved of, and that the land was consequently set apart for the purposes of a Native Reserve.

A. C. STRODE.

Mr. W. CARROLL to the Hon. the Colonial Secretary.

SIR,—

With reference to your despatch No. 58, 11th February, 1855, on the subject of my letter of 23rd June, 1855, transmitting a map of Dunedin, showing the public reserve that had been made by the New Zealand Company for the general purposes declared in section 12 of the "Terms of Purchase," and of my further letter of 15th September following, enclosing duplicate of the same map in pamphlet, and requesting that these reserves might be granted in cassado to the Superintendant as Corporation, in order to be applied to the purposes as set forth in the "Terms of Purchase,"

In your said despatch you state, "That His Excellency is advised that he would not be justified in granting land upon trust for the public service generally; but that the particular objects for which the grant is made, as, for instance, for the site of a church, or chapel, or cemetery, &c., should be specified."

I have therefore the honor to transmit a series of maps (eleven in number), in order that the lands may be severally granted as specified in the schedule.
And with respect to the last paragraph of your despatch, I have to observe that the reserves for fortifications, as shown on the original map of town and harbour, are, the Island at Port Chalmers, and the commanding position, Taiaoka Head, at the mouth of the harbour.

With respect to the annexed schedule, I have the honour to propose that Nos. 8, 9, and 10 be granted to the Reverend Thomas Burns and William Cargill, as trustees on behalf of the Presbyterian of Otago; and each of Nos. 1, 2, 3, 4, 7, 9, and 11 to the Superintendent as a Corporation; and No. 8 either to the same or such other party as may be named by the Governor.

To the Hon. Colonial Secretary, Auckland.

W. Cleland.

Schedule.

1. Hospital Reserve (occupied).
2. Octagon Reserve (for public gardens).
4. Church Reserve, Church Hill (assigned by the Company for the first church of Otago, now about to be erected).
5. Church and School site (occupied by the Presbytery).
7. Provincial Government, for buildings, &c.
9. Reserve for buildings, &c., connected with public jetty.
10. Masoe, first church (occupied).
11. Reserve for general purposes, Provincial Government.

Mr. C. H. Ketelle to the Commissioner of Crown Lands, Dunedin.

Survey Office, Dunedin, 11th January, 1858.

In reply to your letter of yesterday's date, I have the honour to inform you that by some oversight a list of the reserves does not appear to have been made as proposed by Mr. Secretary Harrington in his letter of 25th October, No. 345. You will see by the map that special reserves were made for a town belt, cattle market, cemetery, and public gardens.

From the documents relating to the survey of the Otago Block, which I lent you the other day, you will also perceive that the reserves near the shore of the harbour were made for public purposes, in order that the public might have free access to the water. There was also a reserve set apart especially for Custom House and Post Office at the landing place at Port Chalmers, although no note appears to have been made of the proposed appropriation. The other reserves were made for public purposes without being intended (so far as I now remember) for any particular purpose.

I have, &c.


 extract from letter of Mr. W. H. Cowen, Chief Commissioner.

Waste Land Board Office, Dunedin, 14th April, 1858.

Besides the above reserves, which may be said to be the whole coming strictly within that description, a reserve was made at Port Chalmers of nearly an acre in extent—it consists of sections 403 and 406, and a portion of unsurveyed land; it is not shown on the map plan.

This reserve was recommended by Mr. Mantell, and was sanctioned by the Governor in 1854–55. A quarter of an acre adjoining section 401 was purchased by Mr. Mantell from Mr. B. Williams, with the sanction of the Governor. The reserve was made under protest of its being required for the use of the Native landing at Port Chalmers, but for that purpose it is entirely useless, as it has a steep frontage to the beach of considerable elevation. It has never been used by the Natives.

A reserve for a similar object was made at Dunedin. Its exact extent is not defined, but comprises all the land between the shore of the harbour and the east side of Princess Street, and allot upon the land upon which the Masoe has been built. This reserve was made upon the authority of the Governor, but it appears to me that His Excellency the Governor exceeded the powers vested in him in this latter case, the land in question having been already set apart as a Public Reserve under the Otago Terminus of Purchase.

It will, however, be the special duty of the Commissioner under "The Native Reserves Act" to ascertain the correct legal position of both these latter reserves, if reserves at all; they are lands over which the Native title has been extinguished. As reserves for the object contemplated, they are utterly useless.

No. 52.

The Crown Grant Clerk, Otago, to the Secretary for Crown Lands, Wellington.

By instruction of the Commissioner of Crown Lands, I have the honour to forward for His Excellency's signature two Crown Grants to the Superintendent of Otago, in trust under the Public Reserves Act, 1864 and 1862, as per accompanying schedule.

I have, &c.

W. B. Cowen, Crown Grant Clerk.

The Hon. the Secretary for Crown Lands, Wellington.
Enclosure in No. 52.


<table>
<thead>
<tr>
<th>No. of Grant</th>
<th>Description of Property</th>
<th>Nature of Reserve</th>
</tr>
</thead>
<tbody>
<tr>
<td>4871</td>
<td>Block XXIII, Dunedin</td>
<td>Public utility.</td>
</tr>
<tr>
<td>4872</td>
<td>Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, Block XXIII, Dunedin</td>
<td>Public Hospital.</td>
</tr>
</tbody>
</table>

No. 53.

The Hon. the Colonial Secretary to His Honor the Superintendent, Otago.

Sir,—

Colonial Secretary's Office, Wellington, 21st November, 1888.

I have the honor to enclose copies of a letter from the Commissioner of Crown Lands at Dunedin to the Secretary for Crown Lands, transmitting for execution two Crown Grants to the Superintendent of Otago, in trust under the Public Reserves Act, 1854 and 1862, as described in a schedule, a copy of which is enclosed, accompanying that letter.

One of these grants No. 4,871, states as the object of the trust, "for the purposes of public utility to the town of Dunedin and its inhabitants." As it is the invariable rule and requirement of the Act that the specific purpose for which a grant is asked should be stated, I have to request your Honor to be good enough to specify more particularly the object of the trust.

The other grant No. 4,872 has been duly executed and forwarded to Dunedin.

I have, &c.,

E. W. STAFFORD.

His Honor the Superintendent, Otago.

No. 54.

His Honor the Superintendent, Otago, to the Hon. the Colonial Secretary.

Province of Otago, New Zealand.

Superintendent's Office, Dunedin, 26th December, 1888.

Sir,—

I have the honor to acknowledge the receipt of your letter of the 21st November, 1888, in which you are asked to specify more particularly the trust for which the Crown Grant No. 4,871, forwarded in the letter of the Commissioner of Crown Lands, Dunedin, of the 4th ultimo, is to be used, object being taken to the term "for the purposes of public utility," and in reply, I beg that the wording of the trust may be as follows, viz.:—"As a reserve for wharves and quays," being the purpose for which it was originally set apart.

I have, &c.,

THOMAS DICK.

Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 55.

The Town Clerk, Dunedin, to the Hon. the Colonial Secretary.

City Council, Dunedin, 29th January, 1889.

Sir,—

I have the honor to inform you that I am instructed by the City Council to make application for certain moneys in the hands of the General Government, on account of the reserve lately known as the Maori Reserve, Princes Street South, Dunedin.

Your early attention will greatly oblige.

I have, &c.,

JOHN ISAACS.

Town Clerk.

The Hon. the Colonial Secretary, Wellington.

No. 56.

The Upper Secretary to the Town Clerk, Dunedin.

Colonial Secretary's Office, Wellington, 13th February, 1888.

Sir,—

I am directed by Mr. Stafford to acknowledge the receipt of your letter of the 29th ultimo, applying by direction of the City Council "for certain moneys in the hands of the General Government, on account of the reserve lately known as the Maori Reserve, Princes Street South, Dunedin."

Mr. Stafford is not aware of the grounds upon which this application is made. The land in question has been granted to the Superintendent of Otago as a "Reserve for public wharves and quays, and other purposes connected therewith of public utility to the town of Dunedin and its inhabitants."

There appears to be no power to transfer rents accruing on account of this land, previously to the issue of the grant, either to the grantees or the City Council of Dunedin.

A Bill will be submitted to the General Assembly next session for determining doubts as to the appropriation of the land and the funds arising out of it.

I have, &c.,

W. GIBBON.

Under Secretary.

J. ISAACS, Esq., Town Clerk, Dunedin.
No. 67.

The Hon. the Colonial Secretary to His Honor the Superintendent, Otago.

Colonial Secretary's Office, Wellington, 15th October, 1866.

I have the honor to enclose a copy of a letter dated the 6th August last from the Native chief Hori Kerei Tairaro, representing the claims of the Natives in Otago to the reserve known as the Princess Street Reserve, in Dunedin, which was granted to the Superintendent of Otago under "The Public Reserves Act, 1854," in a Crown Grant dated the 11th January, 1860.

After a careful consideration of all the circumstances connected with the Native claim to this reserve, and with the Crown Grant referred to, the Government is of opinion that the question of the validity of the grant should be submitted to a proper judicial tribunal.

The best mode of testing the question of law appears to the Government to be by "Writ of Habeas Corpus," and I have to propose to your Honor that this mode of bringing the matter before the Supreme Court be taken.

The expenses attending the process will be chargeable on the contingencies of the Native Department, or on the proceeds of the reserve, according as the issue may be.

As it is important that this question should be determined without delay, I have to request your Honor to be good enough to favour me with a reply at your earliest convenience.

I have, &c.,

H. W. STAFFORD.

His Honor the Superintendent, Otago.

Enclosure in No. 57.

[Translation.]

Otago, 6th August, 1866.

Go, O my letter of love, to the Governor. Salutations. I have a word to say to you about our reserve here in the town. I request you to make clear to us the case in respect of it. I have heard that it is being taken away by the Pakehas of the town, that land is. It is very wrong thus to take our land away without a cause.

Friend the Governor. With you is the disposal of that land. Do you, in replying to this letter, make clear to us its position. If any Pakeha important for that land, do not let them have it without paying for it.

Friend, give heed. If you would like to have that land for yourself, give me the payment.

If this letter reach you, write in reply, so as I may know whether it is right or wrong.

That is all.

Your friend,

Hori Kerei Tairaro.

No. 58.

His Honor the Superintendent, Otago, to the Hon. the Colonial Secretary.

Superintendent's Office, Dunedin, 20th October, 1866.

I have the honor to acknowledge the receipt of your letter No. 455, of the 13th instant, enclosing copy of a letter from the Native chief Hori Kerei Tairaro, representing the claim of the Natives in Otago to the reserve known as the Prince Street Reserve, in Dunedin, which was granted to the Superintendent of Otago on the 11th January last, in which, after stating that the Government, after a careful consideration of all the circumstances connected with the case, is of opinion that the question of the validity of the Crown Grant should be submitted to a proper judicial tribunal, you propose to me to test the law of the case by "Writ of Habeas Corpus" before the Supreme Court.

In reply, I do myself the honor to state that, on behalf of this Government, I decline to try the validity of the Crown Grant by the course proposed, on the ground that the Provincial Government cannot recognize any Maori right or title to the reserve in question, which point, it is understood, had already been definitely decided by the General Assembly.

I have, &c.,

THOMAS DICK,

Superintendent.

No. 59.

The Hon. J. Hyde Hare, and other Residents in the Province of Otago, to the Hon. the Colonial Secretary.

Superintendent's Office, Dunedin, 20th October, 1866.

We, Members from Otago in the General Assembly of New Zealand, have now the honor, in accordance with the request made by you to that effect at the interview with which you favoured us on the 6th instant, to apply to the Government, through you, for a restoration of the moneys which have accrued from the occupation of a part of land, in Prince Street, Dunedin, granted to the Superintendent of Otago, in trust for the Corporation of Dunedin, and which moneys have been retained by and are now in the hands of the General Government.

Amongst the grounds upon which we make this application are the following:

1. That the land comprising the Otago Block, and within which the City of Dunedin is situate, was purchased from the Natives in the year 1844; that certain reserves were then made by and for the Natives; that no parts of the towns of Dunedin or Port Chalmers were included in such reserves; and that the deed of conveyance from the Natives to the Crown did not contain any provision for
further reserves being made for the use of the Natives, either out of the lands which were the subject of the conveyance or otherwise.

2. That on the original survey of the Town of Dunedin by the late Mr. Keate, in or about the year 1846, the piece of land in Prince’s Street, before referred to, formed a part of a line of sections surveyed, mapped, and intended for selection by colonists under the scheme of “The Otago Association.”

3. That by letter dated 21st October, 1846, Mr. Harrington, the Secretary of the New Zealand Company, by order of the Court of Directors of the Company, instructed Colonel Wakefield, its Chief Agent in New Zealand, inter alia, “that all water frontages, from above high water-mark, be reserved for public use, as at Glasgow, Bordeaux, &c., &c.

4. That the above instructions were forwarded by Colonel Wakefield to Mr. Keate, who conveyed them to the selection map of sections in the Town of Dunedin all those which had frontages to the harbour, and marked them off as Public Reserves.

5. That the said sections are some of the most valuable in the City of Dunedin; that many of the early settlers felt and still feel aggrieved at being precluded from selecting them under their original land orders, on this ground amongst others—that such sections were indicated as open for selection upon the official map of the town exhibited at the New Zealand House before they left London, and that they were induced to waive their rights to select these sections solely on the ground that they had been withdrawn from sale for public purposes, and would thereby enhance the value of the sections which they afterwards selected.

6. That at the arrival of the first colonists in Otago to the present time the land in question has been partially used as the site of various public buildings, an hospital having been erected thereon by the New Zealand Company, and, more recently, barracks and stores for immigrants and their luggages, and the chief Constabulary Depot of the Province.

7. That in the year 1863, as we are informed, the sections of land in question were, on the recommendation of Mr. Manuell, ordered to be set aside for the use of the Natives as a place for landing and encampment.

8. That such recommendation was made without the knowledge or consent of the colonists of Otago, or of the Provincial Government thereof.

9. That the land in question was and is quite unsuitable for the use of the Natives for the purposes before mentioned, and that it has never been used by them for such purposes.

10. That portions of the said land are, and have been for several years past, occupied by merchants, storekeepers, and others as sites for buildings used by them in connection with their various businesses, and that a large sum of money has accrued from the use and occupation thereof, and is now in the custody of the General Government.

11. That on the 1st day of August, 1885, a Select Committee of the House of Representatives was appointed to examine into the claim of the Provincial Government of Otago to the lands in question.

12. That such Committee, consisting of yourself, Mr. Robert Graham, Mr. Waring Tayler, Mr. A. J. Richmond, Dr. Forster, Mr. Wilkin, and Mr. Raynolds, after much labour and research relative to the matters intimated to them, unanimously reported to the House of Representatives, inter alia, as follows:

"After a careful consideration of the above facts, as to the equity of the case, your Committee have arrived at the conclusion that the land forming the Dunedin Reserves, having been reserved from sale for a specific public purpose, and that it is not for the use of the public and for the purpose intended, and in light of a recommendation that a Crown Grant be issued in favour of the Municipality of Dunedin, as trustees and representatives of the local public, as was evidently the intention of the New Zealand Company, conveyed in the instructions of Mr. T. C. Harrington to Colonel Wakefield."

13. That the Report of the Select Committee, from which the foregoing is extracted, was presented to the House of Representatives and adopted, and that in pursuance thereof a grant of the said lands has been made to the Superintendents of Otago, in trust for public purposes.

14. That, in our humble opinion, the moneys which have been received by the General Government for the use and occupation of the said lands are as much the property of the Province of Otago as the lands themselves, and that it would be an act of injustice on the part of the General Government any longer to withhold them.

15. That the Municipal Council of the City of Dunedin, relying upon the decision of the House of Representatives on the ownership of the said lands, and the necessary inference to be deduced therefrom that the accrued rents from the said lands would be placed at their disposal, entered into engagements and have incurred liabilities, on account of public works within the city, which they are unable to fulfill and discharge, whereby serious loss to the public interests and to the credit of the Corporation have resulted.

We would therefore most respectfully but urgently request that you will more the Government to take immediate steps for the payment of the moneys now in its hands, which have accrued from the acres before alluded to, to the credit of the Provincial Treasurer of Otago.

We have, &c.,

J. B. Bradshaw, M.H.R.
J. B. Hinde, M.H.C.
J. R. McEwen, M.H.
J. C. Campbell, M.H.

The Hon. the Colonial Secretary, Wellington.
No. 69.

The Hon. the Colonial Secretary to Mr. J. H. Harris, and other Residents in the Province of Otago.

Gentlemen,—

Colonial Secretary's Office, Wellington, 22nd July, 1887.

I have the honor to acknowledge the receipt of your letter of the 15th instant, requesting that the money which has accrued from the occupation of a certain reserve in Prince Street, Dunedin, granted to the Superintendent of Otago, and which are now in the possession of the General Government, may be paid.

In reply, I have to state that the Government, after a careful review of all the circumstances of the case, is of opinion that the payment requested should be made, and will consider in what manner this can be legally effected.

I have, &c.,

E. W. Stafford.


No. 61.

The Hon. the Colonial Secretary to His Honor the Superintendent, Otago.

Sir,—

Colonial Secretary's Office, Wellington, 24th July, 1887.

I am advised that the Prince Street Reserve is vested in you as Superintendent, you only, and not the Corporation of Dunedin, can be recognized as the recipient of the rents.

I am also advised that proceedings are threatened, and are, it is believed, about to be commenced, with a view to obtaining a declaration of the invalidity and cancellation of the Crown Grant of those lands. I should not be justified in handing over these rents except upon an undertaking from you, as Superintendent, on behalf of the Province, that in the event of the Crown Grant being declared invalid in a Court of competent jurisdiction or by the Legislature, or in the event of the right or title of any person other than yourself, as Superintendent, to these moneys being established in a Court of competent jurisdiction, or declared by an Act of the Legislature, the moneys paid over will be refunded to the Colonial Treasurer.

I shall also require a similar undertaking, in general terms, to guarantee the Crown and Government of New Zealand against all claims which may be made in consequence of the payment of these moneys to you as Superintendent.

On receiving from your Government a communication to the effect that it undertakes the guarantee above mentioned, I will cause the rents to be paid over to the Provincial Treasury.

I have, &c.,

E. W. Stafford.

His Honor the Superintendent, Otago.

His Honor the Superintendent, Otago, to the Hon. the Colonial Secretary.

Sir,—

Wellington, 28th July, 1887.

I have the honor to acknowledge the receipt of your letter of yesterday's date, intimating that the Government is prepared to pay over to the Provincial Treasury the arrears of rental which have accrued in respect of the Prince Street Reserve, Dunedin, upon condition of my entering into an obligation to refund the amount in the event of an adverse decision of the Supreme Court as to the right of the City of Dunedin to the money in question.

I regret being unable to concur in this proposal, because such concurrence would imply a doubt on my part as to the rightful ownership of this money, and because it appears to me to be inexpedient to expend money to which there is not an absolute right.

I feel, moreover, that however improbable it may be that the Supreme Court will give other than an equitable decision in this case, yet I am not warranted in committing the Province to the chances of such a contingency. I may add, further, that on assembling over the matter with several of the Otago Members, they are of opinion that the most advisable course will be to submit the question to the Legislature, with which view Mr. Dillon Bell has been good enough to agree to introduce the Bill which received the assent of the Lower House last Session.

To the Hon. the Colonial Secretary Wellington.

I have, &c.,

James Macandrew.

Superintendent, Otago.

No. 63.

John Tuff Pattie to His Excellency the Governor.

Sir,—

Wellington, 15th July, 1887.

On my own behalf, and on that of the Ngatiwha and Ngatihangana Tribes, I venture to pray your Excellency to permit and enable us to ascertain before the Courts of this country whether or not a remedy can be found for a great wrong and infringement of our rights which we conceive to have been committed.

In the year 1868 a certain reserve in the Town of Dunedin, known as the Prince Street Native Reserve, was given to us by the Governor. Last year, as we hear, this, our Native Reserve, was granted to the Superintendent of Otago, although in 1866 it had been placed by your Excellency as a Native Reserve under the charge of Mr. Chishin-Moore; and the rents which have been paid by compatriots of our races have not only never reached us or been expended for our benefit, but are now, we hear, also claimed by the Superintendent.
Our prayer is, that your Excellency should appoint a lawyer for us, in order that our right to this reserve and to these lands may be fairly tried in the Supreme Court.

We have heard that there is in Auckland a lawyer named Mr. McCormick, who pleads without fear, and with great skill, the causes of the Moors intrusted to him. To his hands we desire to commit our cause. This is all.

His Excellency the Governor.

From John Topi Pataki.

No. 64.

PETITION OF JOHN TOPI PATAKI TO HIS EXCELLENCY THE GOVERNOR.

To His Excellency the Governor of New Zealand, the humble Petition of John Topi Pataki, of Rangipo, in the Colony of New Zealand, sheweth,—

1. That your petitioner is a chief of the Ngatiuhu and Ngatiuhu tribes.

2. That in the month of June, 1850, certain land commonly known as the Prince Street Native Reserve, Dunedin, was, by the Governor of the said Colony, set apart as a Native Reserve for your petitioner and his tribe.

3. That by a grant of the Governor in Council, dated the 11th day of January, 1850 (No. 4,597), the said land was granted to the Superintendent of the Province of Otago, in trust for public wharves, quays, and other purposes connected therewith of public utility to the Town of Dunedin and its inhabitants.

4. That before the signature of the said grant, neither your petitioner nor his tribe, was warned of the intention of the Governor to convey the said Native Reserve to the said Superintendent of Otago.

5. That before such signature neither your petitioner nor his tribe had an opportunity of being heard before the Executive Council, or the Supreme Court, in opposition to the signature of such grant, or in defence of their claim to the land comprised therein.

6. That your petitioner is advised that the said grant is illegal and void, inasmuch as the land therein comprised was specially reserved for your petitioner and his tribe.

That your petitioner is desirous of obtaining the leave of the Crown for instituting legal proceedings by se privé faicts, in the name of the Crown or otherwise, for repealing the said grant.

And your petitioner will ever pray, &c.

John Topi Pataki.

No. 65.

The Under Secretary, Native Department, to C. B. Isaac, Esq.

Sir,—

I am directed by Mr. Richmond to inform you, as solicitor to John Topi Pataki, of Rangipo, that His Excellency has been pleased to assent to the prayer of the petition presented by the above named Native, and to allow him to use the name of the Crown in taking proceedings to obtain a repeal of the grant of the land known as the Princess Street Reserve, Dunedin, either by se privé faicts, if he is advised that such proceeding is applicable, or in such other proceedings as he may be advised to take.

It will be understood that in granting this request the Government expresses no opinion as to the validity or invalidity of the grant.

I have, &c.,

W. E. Colston,
Under Secretary.


No. 66.

The Under Secretary, Native Department, to John Topi Pataki.

Sir,—

I am directed by Mr. Richmond to acknowledge the receipt of your petition addressed to His Excellency on the subject of the Princess Street Reserve, and to inform you that His Excellency has been pleased to assent to the prayer of your petition, and to allow you to use the name of the Crown in taking proceedings to obtain a repeal of the grant of the land referred to, either by se privé faicts, if you are advised that such proceeding is applicable, or in such other proceedings as you may be advised to take.

It will be understood that in granting this request the Government expresses no opinion as to the validity or invalidity of the grant.

I have, &c.,

W. E. Colston,
Under Secretary.

Mr. John Topi Pataki, Rangipo.

No. 67.

The Hon. J. C. Richmond to the Hon. W. B. D. Master.

Sir,—

Native Secretary’s Office, Wellington, 21st July, 1857.

In reference to a letter addressed by your humble servant to his Excellency the Governor, on the 15th of July, relative to the employment of a legal adviser to advocate his claim to the Princess Street...
Reserve, and with regard to verbal communication from yourself consequent upon your having, at the request of that chief, interested yourself in enabling him formally to petition His Excellency on the subject, I have the honor to inform you that His Excellency has been pleased to accede to the prayer of Topi’s petition, and to allow him to use the name of the Crown either in proceedings by cuiusdam or by such other proceedings as he may be advised to take on behalf of the Ngatiatu and Ngatiwhamei Tribes. This permission having been granted, the Government wishes to afford these Natives every facility to enable them to test the validity of their claim, and will guarantee a payment to their legal advisers of a sum not exceeding £200 on account of expenses incurred in prosecuting the suit, including those already incurred by you on their behalf.

The Government understands that you have consented to continue to assist the Natives in bringing their case before the Supreme Court, and that you will, on their behalf, have a regard to the advantageous outlay of the funds to be expended in their interests.

I have therefore thought it right to inform you of the willingness of the Government to afford the help I have mentioned above, and to request that you will place yourself in communication with Mr. Issard, &c., as I am informed, has been writing letters in the interest of the Natives, or with such other gentleman as you may think fit. The Government has no wish to guide the Natives in the selection made, or to recommend them to limit themselves to the advice of one lawyer. It will probably, however, be found advisable to constitute the case in the hands of Mr. Issard, associating with him some other gentleman of the legal profession in Wellington, whose information on the subject will probably be more accessible than elsewhere.

I have, &c.,

J. C. RICHMOND.

No. 68.

The Hon. J. C. Richmond to the Hon. W. B. D. Mantell.

Sir,—

Native Secretary’s Office, Wellington, 30th July, 1867.

I have the honor to enclose for your information a copy of the petition of John Topi Pakiti, and of correspondence on the subject of the Prince Street Reserve, referred to in my letter of the 26th instant.

I have, &c.,

J. C. RICHMOND.

No. 69.

The Hon. W. B. D. Mantell to the Hon. J. C. Richmond.

Sir,—

Sydney Street, Wellington, 27th July, 1867.

I have the honor to acknowledge your letter of the 26th instant (No. 67-2381 B.), and in reply to repeat the assurance of my willingness to act in the case referred to, and to inform you that I have, in consequence of your request, placed myself in communication with Mr. Issard and Mr. Allen.

I have, &c.,

W. B. D. Mantell.

No. 70.

The Hon. W. B. D. Mantell to the Hon. J. C. Richmond.

Sir,—

Sydney Street, Wellington, 7th August, 1867. 3.15 p.m.

In connection with my reply to your letter of 26th July ultimo (No. 67-2381 B.), I have now the honor to inform you that the Attorney-General having in due course been applied to for his opinion that the writ of certiorari may issue, has returned that writ to Messrs. Issard and Allen with the following endorsement:—

"Wellington, 9th August, 1867.

"Upon the usual bond being given to the Registrar of the Supreme Court for £600, let the writ issue."—JAMES FRASER.

As in the latter in which you remit to me the conduct of this affair on behalf of the Government, you state that the Government wishes to afford the Natives every facility to test the validity of their claims, and as the Government now holds under trust for the Natives the accrued rents of the disputed reserve as a Native Reserve to an account exceeding £8000, I have no hesitation in begging you at once to indicate the mode in which the demands of the Attorney-General are to be acceded to, and to appoint bondmen to undertake the responsibility on behalf of the Government.

Formerly requesting an immediate reply.

I have, &c.,

J. C. Richmond.

No. 71.

The Hon. W. B. D. Mantell to His Excellency the Governor.

Sir,—

Wellington, 19th August, 1867.

At the request of John Topi Pakiti, I do myself the honor of enclosing a petition addressed to Her Majesty the Queen by him, as chief of the Ngatiatu and Ngatiwhamei Tribes, and of respectfully requesting your Excellency to forward that petition to the Right Honorable the Principal Secretary of State for the Colonies.
The petitioner prays Her Majesty to exact her royal authority to prevent certain claims of his tribe from being extinguished or prejudiced by legislation in the General Assembly of this Colony, those claims being, of a nature which can and should be dealt with by the judicial tribunals of the Empire.

In the endeavour to restrict the allegations of his position to such only as seemed absolutely needful to show a prima facie claim to the consideration prayed for, a clerical omission has unfortunately occurred in the third line of the seventh paragraph of its second page. The following statement should have appeared between the words "canceled" and "the Governor": "...without any warning to your petitioner's tribe of the intention so to convey this reserve, and without any opportunity having been afforded to them of being heard in defence of their claims thereto before the Executive Council or the Supreme Court."

As the present appeal of this chief to Her Majesty is designed only to pray for her gracious intercession in order to restrain the action of the Legislature to its proper functions, and to maintain on behalf of that race of Her Majesty's subjects in this Colony which is not represented in its Legislature whatever protection of their rights and interests the Crown of the country can afford, it has not been thought necessary therein to advert to the injustice of the Provincial Government's demand for the reserve in question, to the history of the Bill now before the Legislature, or to its repugnancy to principles already affirmed during the present Session in the Private Estates Bills Bill.

I am so unwilling that the accidental omission above noted should in the least weaken whatever form this petition may possess, that I venture respectfully but earnestly to pray your Excellency to forward a copy of this letter to the Right Honorable the Secretary of State for the Colonies, with the enclosed petition.

I have, &c.,

W. B. D. MANGLE.

P.S.—I should add that petitions of similar purport have been addressed to both Houses of the General Assembly.

W. B. D. M.

---

No. 72.

Petition of John Toni Pateke to Her Majesty the Queen.

To Her Most Gracious Majesty QUEEN VICTORIA, the Petition of John Toni Pateke, of Ruapuke, in New Zealand, Chief of the Ngatiwha and Ngatiwha, humbly sheweth:

That in the year 1844, with the sanction of your Majesty, the Government of this Colony directed negotiations to be entered into with the representative chiefs of the Ngatiwha and Ngatiwha Tribes for the sale to the New Zealand Company of a portion of their hereditary possessions, since known as the Otago Block, consisting of 120,000 acres, for the consideration of £2,000.

That from the lands comprised within the general boundaries of that block, certain portions at Otago, at Tainui, and at Karoro, were withheld from sale by those chiefs, as dwelling-places and possessions for themselves and their descendants.

That the said chiefs further demanded that there should be set at that time, and guaranteed to them, certain small reserves, including two at Otago, now known as Dunedin,—namely, one near the stream which crosses Princess Street, near Rattray Street, and the other fronting a small sandy cove to the eastward of the site afterwards occupied by the town and the land adjoining.

That, on the refusal of the Agent of the New Zealand Company and the Agent representing your Majesty's Government to accede to these moderate demands, the said chiefs declined to proceed further in the negotiations; but, after the lapse of some days, it being ascertained that the above reserves would be made for them, the said chiefs returned, and the purchase was concluded.

That during the existence of the New Zealand Company your petitioner and his tribe were not molested in such occupation as they desired of the above spots; but, on the demise of that body, unable to find written record of the making of any special town reserves, the Commissioner of Crown Lands, at the request of the chiefs aforesaid, laid their application before the Governor of the Colony, who thereupon made an offer for your petitioner's and his tribe a reserve in the Town of Dunedin, and one in that of Port Chalmers, from lands which your petitioner in advised were firstly at the disposal of the Crown for that purpose.

That it must be borne in mind that your petitioner and his tribe were at the time of the sale a people little accustomed to scrutinize narrowly such doings as might be submitted to them for signature, and ready to regard as equally sacred and binding any parcels, promises, or assurances which an officer of Government might make to them in your Majesty's name.

That your petitioner was also entitled, under the arrangements then existing between your Majesty's Government and the said Company, to one-twelfth of the sections into which their lands might after their cession be divided, and that although, at the request of the Agent of the said Company, the officer acting for the Government made no express stipulation to that effect in the deed, it yet appears from later correspondence of the said Agent that your petitioner's claim was not repudiated by the New Zealand Company.

That your petitioner is not aware that at any subsequent period this claim was waited, and is confident that subsequent waving of this claim was never meant to be by those for whose interest it existed.

That it was not made (as he trusts by inadvertence) in your Majesty's grant of the Otago Block to the New Zealand Company in 1848 your petitioner is aware, but that grant having subsequently reverted to the Crown, can no longer, he submits, prejudice the equity of claims ignored therein.

That in the year 1852 the Government of the Colony procured at the said reserve to be let for occupation, and the rents accruing therefrom were paid into a separate fund, and by successive Ministers regarded as funds to be expended for the benefit of your petitioner's tribe.

That in the year 1855 your Majesty's representative the Governor in Council again formally recognized the ownership of the Dunedin Native Reserve as still vesting in your petitioner's tribe.
That notwithstanding the previous action of the Governor in Council, and the Order in Council aforesaid not having been revoked or cancelled, the Governor did, on the 11th January, 1867, sign in Council a grant purporting to convey the said reserve to the Superintendent of Otago.

That it appears that of the rents accruing as above there was on the hands of the Colonial Treasurer, at the time of the signature of the said grant, a sum exceeding £6,600.

That doubts having naturally arisen as to the validity of the said grant, your petitioner, urged thereto by the Government of the Colony, encouraged by the promise that every facility would be afforded to him to assert in your Majesty’s Supreme Court the claim of his tribe to the above reserve, in the manner which he is advised is that provided by the laws of the realm for the fair investigation and remedy of such wrongs as those which he suffers, relying upon the good faith and honor of your Majesty’s Government in this Colony, and believing that the above named ample funds were fully available for covering the costs of litigation, has, by petition to your Majesty’s representative, and by himself giving a bond for costs to a very large amount, obtained the issue of a writ of seisin with a view to the repeal of the said grant to the Superintendent of Otago.

That your petitioner knows that a Bill is now before the General Assembly of New Zealand, whose effect, if it become law, would be to deprive his tribe of the funds which have accrued from the leasing of their said reserve in Dunedin, and probably to render nugatory any effort which he, on their behalf, is making, or may hereafter make, in the Supreme Court of the Colony, or elsewhere, to recover possession of the land itself.

Your most gracious Majesty’s humble Petitioners further sheweth,—

That your petitioner’s tribe has ever been loyal and faithful to your Majesty.

That by the Treaty of Waitangi your Majesty entered into certain honorable engagements with the Maori race, which he humbly submits were of a nature not safely to be devolved upon any body of your Majesty’s subjects without strict reservation to your Majesty of sufficient power to enforce their fulfillment.

That, however, in the Legislature of this Colony your petitioner’s race have no representative, and their interests are thereby subjected to the control of a popularly elected body, not only not representing their interests but in many respects having interests altogether opposed to theirs; whose deliberations are conducted in a language of which very few Maoris have any knowledge, and whose laws, affecting, as they do, all races of your Majesty’s subjects in the Colony, are rarely published in the only language known to the Maoris.

That therefore your petitioner submits that, in all cases where interests or supposed interests of the Native race are at stake, these interests should be traced with scrupulous honor and justice, and that questions affecting their rights should upon no account be submitted to a political body wherein they are not represented, but, on the contrary, referred to and left to the decision of your Majesty’s courts of law and equity.

That, in consideration of the constant loyalty of his tribe, of the immense possessions which they have peaceably ceded to your Majesty for most valuable payments, and on the faith of promise to them of benefits not yet even fulfilled, to the deprivation, now probably past recovery, of that proportion of their lands sold which the New Zealand Company was at the time bound to reserve for them, and of the doubt which may reasonably exist whether any legislative body, especially one in which one party to the cause is unrepresented, can, however high its character and pure its motives, deal so imperfectly and conclusively with a contested claim to property as a judicial tribunal:

Your petitioner humbly prays that your Majesty would be graciously pleased to instruct the Governor of this Colony, in the event of the Bill above referred to, or any Bill whose object may be to decide by legislation on rights which are capable of being tried judicially, being submitted to His Excellency for the Royal assent, to withhold that assent. And further prays, in the event of His Excellency forwarding any such Bill or Bills to your Majesty’s Principal Secretary of State for the Colonies, that your Majesty will be graciously pleased, in consideration of the injustice and wrong which might thereby be done to your unrepresented subjects, to signify your pleasure that the same be disallowed.

And your petitioner will ever pray.

John Tiki Pawali
Wellington, New Zealand, 17th August, 1867.

No. 78.

The Hon. J. C. Richmond to the Hon. W. B. D. Mantell.

Sir,—

Referring to my letter of the 25th July last, agreeing to guarantee, up to a certain amount, the costs of a suit as to the ownership of the Princess Street Reserves, Dunedin, I regret to be under the necessity of informing you that the Government, having at or near the time of my reply entered into an arrangement altogether inconsistent therewith, have considered it proper to withdraw the guarantee in question, so far as the future is concerned, holding themselves, nevertheless, fully responsible for all costs incurred, as between attorney and client, on behalf of the Native suitors up to this date.

I have, &c.


J. C. Richmond.

No. 79.

The Hon. W. B. D. Mantell to the Hon. J. C. Richmond.

Sir,—

Your letter of the 19th instant (N.S. 87-1147), reached me at eleven o’clock this morning.

Mr. Izard, the legal gentleman who, with Mr. Allan, accepted the guarantee of the Government contained in your letter of 25th, and minute of 25th July ultimo, is absent from town; a reply to your present communication must be deferred until his return.

38
In the meantime, to aid in the comprehension of your letter, I shall be glad to receive such explanation on the following points as you may be pleased to accord, only begging more prompt attention to this request than you have granted to my urgent letter of the 7th instant, which yet remains unacknowledged:—

1. Does the word "Government," in your letter, mean the Governor and Cabinet, or the latter only?

2. You speak of "an arrangement" entered into by the "Government at or near" a certain time. Neither the date nor the nature of so important "an arrangement," nor the persons with whom it was made, can be matter of doubt. I would seek to be informed on these points.

Sir,—

The Hon. J. C. Richmond, M.B.C., Native Office.

WALTER B. D. MANTELL.

No. 75.

The Hon. J. C. RICHMOND to the Hon. W. B. D. MANTELL.

WELLINGTON, 22nd August, 1857.

Sir,—

Although the legal position of the Native claimants to Prince Street Reserve is in no way affected by the answer to your questions of yesterday, I can have no objection in answering.

The arrangement referred to by me in my letter of the 10th was, that the Colonial Treasurer should, if duly authorized, pay the accrued rents of the reserve to the Provincial Government, but without prejudice to any rights that the Native claimants might have over the estate and proceeds. It was further intimated to those who represented the Province in the matter that the Government would intersperse no obstacle in the way of the Native claimants in bringing their claims into Court, but would remain absolutely passive, giving none but the usual formal assistance to their suit.

I beg to remind you that the conversation with which I was favoured on the subject of your letter of the 7th precluded the necessity of a written answer.

I have, &c.,

J. C. RICHMOND.

No. 76.

The Hon. W. B. D. MANTELL to the Hon. J. C. RICHMOND.

Legislative Council, 22nd August, 1857.

Sir,—

In acknowledging your letter of this day's date, I must draw your attention to the fact that, while you state that you can have no objection to answering the questions which I requested to submit to you, you have, probably through inadvertence, omitted to answer my inquiry as to the meaning whom the word "Government" in your letter is intended to convey; and further, that you have not stated the date of the "arrangement."

I take this opportunity of reminding you that the conversation to which you allude was only joined in by me after a protest, on my side, against it to you, that it should not be deemed an official communication from you to me; and should therefore in no way supersede the necessity for written official correspondence on any question discussed; and that it was not until you appealed to me, on the ground of friendship formerly existing between us, that I consented to allow you to speak to me on the subject of our correspondence.

I have, &c.,

W. B. D. MANTELL.

No. 77.

The Hon. W. B. D. MANTELL to the Hon. J. C. RICHMOND.

WELLINGTON, 23rd August, 1857.

Sir,—

I find that my reply to your letter of 19th instant cannot probably be sent to you until Monday. I therefore beg, as Mr. Hard, who, on the guarantee of the Government, undertook, with Mr. Allen, the conduct and general expenses of the case, has returned to town, that you will communicate to him the desire of the Government to withdraw that guarantee.

I have, &c.,

W. B. D. MANTELL.

No. 78.

The Hon. W. B. D. MANTELL to the Hon. J. C. RICHMOND.

WELLINGTON, 26th August, 1857.

Sir,—

Not having yet received a reply to my letter of the 22nd, nor any intimation of an intention on your part to favour me with further explanation of your letter of the 18th instant, there remains for me only the painful duty of replying to that letter.

I cannot understand the mode in which the Government can reconcile with any reputable idea of honor and good faith the limitation and withdrawal of the guarantee of 25th July, intimated in your letter of 19th August.
If the arrangement of which you speak was made at or near the former of those dates, its inconsistency with your letter of 29th July must have been as apparent then as now. It would have been as easy then as now to have attempted to suspend or impede the attempt of the Ngallan to obtain a hearing in the Supreme Court. None but the initiatory steps had at that time been taken. I, and not the Government, was responsible for the expense of those steps. From the delay of a reply to the letter and petition of the 15th July, that chief had been compelled to return home, and the case was dropped.

I was more gratified than surprised at its renewal by the Government, and willingly undertook that part in it which they assigned me.

I at once telegraphed to John Topi to return, and, as desired by you, put myself in communication with Mr. Izard (calling in also the assistance of Mr. Allen), and took every proper step in my power towards bringing about what I believed to be the right end, viz., the determination of the question of the validity of the grant submitted to a judicial tribunal, and, as an inevitable corollary, adopted every available precaution to prevent the title to the property in dispute from being disposed of in any other way.

Not only was I aware that the Government held in its custody the large sum which had accrued from the letting of the reserve for the period anterior to any title given by the grant to the Superintendent, during which period every record of the Government goes to prove that it was a Native reserve and nothing else, but Mr. Stafford's letter of 16th October, 1860, shows, if I rightly comprehend the following extract, that the Government had long recognised the duty of providing the necessary funds. Mr. Stafford says—"The expenses attending the process will be chargeable on the contingencies of the Native Department or on the proceeds of the reserve, according as the issue may be." With these facts and assurances before me, I had no doubt the good faith and honorable intentions of the Government would have been to have justified the good faith and honor of every member of the Government at that time. I did not feel justified in doubting. Therefore unhesitatingly assuming the former, I paid the passage and expenses of the chief to and from Wellington, where his presence was necessary to further action on behalf of his tribe, and on the 7th instant reported progress to you, and prayed your immediate directions as to the mode in which the bond required by the Attorney-General, as the condition for his flat that the writ of nisi fecit might issue, should be given.

Receiving no answer from you to this letter, which at least afforded you another opportunity of informing me of the "inconsistent arrangement" and of therefore staying proceedings, I recommended Mr. Izard to tender the bond (for £500) of John Topi, who had returned from the South, and who undertook the liability.

Whether that unfortunate chief can "withdraw" this guarantee with the facility which you appear to believe attends a similar but far less justifiable act on the part of the Government, the Attorney-General can inform you.

On the same 7th of August the Government brought in a Bill which is described as identical with that of last Session for giving the rents of the Prince Street Reserve to the Superintendent of Otago; this Bill having, on its first introduction by a private Member, been found to be a private Bill. If the description of this Bill given by its promoters be correct, and if the taking charge of it by the Government was part of the "arrangement" of about the 29th July, you will perceive that, containing no clauses to protect the rights of the Native claimants to the estate and proceeds, it was not in accordance with the sketch of the "arrangement" contained in your letter of the 22nd instant, No. 467. Upon this, in fulfilment of the charge intrusted to me by the Government, I felt it necessary to make endeavours to move Parliament to pause ere it assented to this Bill, and after consultation with Topi and his legal advisers, petitions were addressed by Topi to both Houses of the Legislature and to Her Majesty the Queen. This done, Topi returned to the South.

I must remind you, lest any question should arise between you and Mr. Izard relative to the repayment to him of the expenses of Topi's journey and petitions, that the expenditure was in each case caused by the Government. Had I not replied to this letter and petition of the 15th July not been so rapidly disposed of, I might have received it before returning home, but all arguments before his departure; and had the Government not taken charge of Mr. Bell's Bill, that measure must, I submit, have been rejected for non-compliance with the Standing Orders, in which case the petitions would not have been required.

I must also recall to your recollection that I saw imperfectly informed as to the "arrangement." Among such documents as I have found, the only one which seems, from the surprising reply elicited by it, to be likely to be the one referred to by you (if, that is, the "arrangement" was recorded), is the letter of the 12th July, signed by sixteen Otage Members of the General Assembly. I am still disposed to imagine that this has at least something to do with "the arrangement," from remembering the purport of your reference to a numerous and threatening deputation of Otage Members, at the interview with which you honoured me at your office on or about the 15th July.

But when I follow the correspondence thus begun, through Mr. Stafford's letters of 22nd and 24th July, to its apparent conclusion in Mr. Maschaw's reply of 26th July, I feel that record of the "arrangement" has probably yet to be laid before the Legislature.

It seems merely necessary to inform you that, after this experience of the ways of your Government towards the weak, I decline to take further action in this matter on behalf of the Government.

You will of course address any further communication to Mr. Izard, who, with Mr. Allen, on your behalf and guarantee, undertook the conduct and charges of the case—my correspondence with you ending, I trust, here.

To me the case is too bad too clear: on the one hand the Natives require from you, out of the funds received by you as their self-constituted guardians, sufficient to enable them, as encouraged by the Queen's Representative and by yourselves, to try in the Courts of the Colony to recover property long possessed by them; and we have been led to believe that your conduct was not careless and unconscionably greedy away from them; on the other, a demand for these funds is made on behalf of the body which now holds that grant, supported by no argument that has not yet been fairly met, but preferred by fifteen Members having votes in the
Legislature (of whom I trust there are not a few who would not now renew their signatures to such a document).

And in this dilemma the Government proposes now to assume a position of absolute passiveness, withholding from authors of the own creation enough of their own money to pay their expenses, but in return prevailing (and I consider that this premise demands the most serious attention) "to interpose no obstacle in the way of the Native claimants bringing their claims into Court."

Of the choice thus made by the Government there is, I fear, but one opinion open to any man who cares for the reputation of the Colony and his own honor.

WALTER MANTELL.

The Hon. J. C. Richmond, M.E.C., Native Office.

No. 79.

The Hon. J. C. Richmond to the Hon. W. B. D. Mantell.

Sir,— Wellington, 23rd August, 1867.

In reply to your letter of this day, I have the honor to observe that the revocation of the guarantee of the 25th July expressly saved expenditure incurred before its date (19th August). It is therefore needless to say that the expenses of John Topi's journey made on business connected with our Jill, by your direction and on the faith of the guarantee, will be made good, together with all other expenses similarly incurred, upon demand with your approval.

The Bill to which you refer has been so amended, on the motion of the Government, in passing through the House of Representatives, as to make it clear that the Crown Grant is not confirmed, nor the claims of the natives in any way prejudiced thereby.

The other topics in your letter are of a purely personal kind, and call for no official reply; although the injurious character of some of your remarks and insinuations will require notice when time shall enable a more temperate view to be taken on the subject.

The Hon. W. B. D. Mantell, M.I.C.

No. 80.

Despatch from Governor Sir George Grey, K.C.B., to His Grace the Duke of Buckingham.

(Go. 106.)

Government House, Wellington, 8th October, 1867.

My Lord Duke,—

I have the honor to transmit, for your Grace's information, a Petition which has been addressed to Her Majesty by John Topi Pateki, chief of the Ngatiwha and Ngatiwhana Tribes.

1. This Petition relates to a reserve in Prince Street, Dunedin, in the Province of Otago, which was made for the Natives in the year 1868, and has now become of very considerable value.

2. I enclose, for your Grace's information, a Memorandum which my Responsible Advisers have prepared upon the enclosed Petition, the allegations contained in which they state are for the most part correct.

3. Your Grace will find from this Memorandum that my Responsible Advisers, at a meeting of the Executive Council, inadvertently advised me to sign a Crown Grant, dated the 11th January, 1868, by which the reserve in dispute was granted to the Superintendent of the Province of Otago, and which grant I signed in ignorance of what I was doing.

4. I also enclose, for your Grace's information, copies of the explanations made upon this subject in the House of Representatives by the Hon. the Colonial Secretary and the Hon. J. C. Richmond, the Minister for Native Affairs.

5. Upon inquiry I find that the sum of £5,001 1s. 9d., accrued rents, was, upon the 24th ult., paid over to the Superintendent of Otago, as following the grant.

I here wish to put your Lordship in possession of all requisite information in reference to a case which I sincerely desired should have been compromised in a generous spirit towards the Natives of the Middle Island, who parted with large tracts of land to this Government for an almost nominal consideration.

I have, &c.,

His Grace the Duke of Buckingham and Chandos.

G. GREY.

Enclosure in No. 80.

MEMORANDUM by the Hon. J. C. Richmond upon John Topi Pateki's Petition to Her Majesty.

Hon. Sir Pateki's petition has been held back in the hope that an arrangement of an equitable kind might be effected between the two claimants to the reserve—the Province and the Ngatiwhana Tribe. The prospect of this has for the present passed away, and Ministers are not justified in asking His Excellency to deny any longer to forward the petition for presentation to Her Majesty.

The allegations contained in the petition are for the most part correct. There is good evidence that the Native owners at the time of the first negotiations for the land at Otakou objected to giving up a part of what now forms the reserve, and in consequence of that objection the negotiation was broken off. In the subsequent deed of sale no specific reservation of the land is made, but a general understanding is indicated that some lands are to be surveyed by the Governor for the settlers, and the vague terms of the deed may have been meant to include later also a portion of the reserve in question.

No notice of such a reserve appears on the original official map of the Town of Dunedin, on which the land comprised in it is shown as sections open for choice by the holders of land orders for the Otago settlement.

On a subsequent map the sections lines are erased, and by order of the Agent of the New Zealand Company the water footage was declared a reserve.

This act appears to have been without sufficient authority, and called forth protests at the time from the holders of land orders. The land was however withheld from selection, and continued to be treated as a reserve for general public purposes.

In 1856 a reserve out of this footage was set apart by the Governor for Native purposes, which is now known as the Princess Street Reserve, and is the subject of the present petition. The property has, since 1862, become of great value, and the objection which always existed to its being reserved for the Natives has been steadily urged on the Government.

It is alleged that His Excellency exceeded his powers in making such a reserve within the lands specifically assigned to other purposes by the New Zealand Company.

In 1866 the question was presented to an inquiry in the Legislature, and a resolution of the House of Representatives, founded on a report of a Select Committee, was passed, declaring that a grant to the Superintendent ought to be issued under the Public Reserves Act. The Government of the day proposed that an acommodating suit should be instituted to try the questions of authority on one side and the other which had been raised. The Provincial Government never acquiesced in this proposal. Mr. Stafford, then Colonial Secretary, was advised that to bring the matter into Court a grant must issue to one party or the other, and had intimated to recommend a grant; but in the meantime, insubordinately, as regards His Excellency and the Colonial Secretary, a grant which had been prepared on the authority of the resolution of the House of Representatives was prepared for signatories and issued.

Since this the accrued rents, amounting to above £3,000, which had been impounded pending the settlement of the claim, have been handed to the Province, on the undertaking to refund should the ultimate legal decision upset the grant.

A suit has been instituted by the Native claimants, since the commencement of which an offer of £1,000 and a reserve of equal area on another part of the reserved footage has been made by the Superintendent but not accepted by the Native claimants in satisfaction of their claim. The suit is now going forward. The Bill referred to by the petitioner was an authority to the Treasurer to pay over the rents to the grantee, but expressly saved the legal question, and in no way validated the grant.

It has since been withdrawn, and the money advanced, on the terms stated above.

The recent decision of the Privy Council in "The Queen v. Hughes and another" having made it uncertain whether seisin jure will lie to repeal letters patent from the Crown, it has been provided by an Act of the present Session that seisin jure shall be applicable in such cases, and now no technical obstacle exists, so far as Ministers are aware, to obtaining a decision of the Supreme Court.

It is doubtful whether in case of a decision adverse to the Natives any power exists to carry out the intention of His Excellency in 1866 in any other way. The power reserved in the Wast Lands Act, 1858, for fulfilling promises of which there is evidence in writing would probably be held to be limited to specific promises, or to promises as to specified land.

5th October, 1867.

J. C. RICHMOND.

No. 81.

DESPATCH from Governor Sir GEORGE GREY, K.C.B., to His Grace the Duke of Buckingham.

(No. 167.)

MY LORD DUCHESS,

Governor-Wells, Wellington, 11th October, 1867.

Adverting to my Despatch No. 166, of the 6th October last, transmitting to your Grace a Petition from Her Majesty from John Topi Patuki, Chief of the Ngatiatu and Ngatiawas, I have now the honor, at the request of my Responsible Advisers, to enclose the following additional papers connected with that petition:

1. A Memorandum from the Hon. J. C. Richmond, Minister for Native Affairs.
2. Copy of a Report of a Select Committee of the House of Representatives, dated 23rd August, 1867, on a petition from John Topi Patuki.
3. A Despatch dated 12th August, 1867, by the Hon. Walter B. D. Mansell, a Member of the Legislative Council of New Zealand, to the Governor of this Colony, in support of the Petition of John Topi Patuki to Her Majesty the Queen.

I have, &c.,

G. GREY.

Enclosure 1 in No. 81.

MEMORANDUM by Mr. RICHMOND.

Wellington, 10th October, 1867.

His Excellency is respectfully requested to forward the enclosed copy of a Report of a Select Committee of the House of Representatives on the subject of a petition of John Topi Patuki, and a copy of a letter by the Hon. W. B. D. Mansell on the same subject, for the information of Her Majesty's Secretary of State for the Colonies.

For His Excellency the Governor.

J. C. RICHMOND.
Enclosure 2 in No. 81.

Report of the Petitioners' Committee on the Petition of John Tupa Pataki, Chief of the Ngatiakau and Ngatiamarua.

The power of the petitioner is to the effect "that the House will refrain from passing a Bill relative to the Dunedin Reserve or its route, or any other law of similar principle and tendency."

The case of the Princess Street Reserve as viewed by the Provincial authorities of Otago, is clearly laid down in the Report of the Chairman of the Select Committee upon the Dunedin and Port Chalmers Reserves, in the Session of 1885 (vide Appendix to the Journals, p. 2), and the petition of the petitioner gives a detail of the case as reviewed from his point of view, and consequently it is not necessary that these details should be repeated here. In this case the Petitioner had the opportunity for examining witnesses as to all the allegations contained in this petition, but they have not examined Mr. John Jones, who appears, in the year 1894, when the Otago Block was sold by the Natives of the Middle Island to the New Zealand Company, to have acted as friend to both parties.

This gentleman confirms the statements contained in the first four clauses of the petition. He declares that he has no knowledge of any such arrangement as that specified in the eleventh clause of the petition. He states that the reserve subsequently made by the Governor, when Mr. Mantle was Commissioner of Crown Lands in Otago, contains an area more than four times the area of the two reserves specified in clause 8 of the petition, and which were originally reserved by the Natives, and agreed to by the New Zealand Company's Agents in 1894. He also, on being questioned by the Committee, suggested a plan which the matter in dispute might be amicably, satisfactorily, and justly disposed of.

The Committee are of opinion that the object of the petitioner will be achieved if a clause is inserted in the Bill now before the House to the effect that nothing contained in the Bill is to be held to affect or prejudice the claim and title of the petitioner and his tribe.

At the same time I am directed to report that the course suggested in the close of the deposition of Mr. John Jones appears to the Committee to be the best way of settling this complicated affair.

3rd August, 1897.

Chairman.

Deposition of Mr. John Jones.

Mr. John Jones deposed as follows:—About the year 1894, when the purchase was made for the New Zealand Company, Mr. Daniel Wakieldt was engaged on the part of the New Zealand Company, Mr. Symonds on the part of the Government, and Mr. David Scott acted as Interpreter to the New Zealand Company. I was in Wellington at the time, with the principal chief Towaki, of the Middle Island. We all five proceeded to Otago. I landed them in Port Chalmers, and I went to Waiakunui and brought down to Port Chalmers four or five more chiefs. In truth, the whole tribe was on board the ship, but I mention the chiefs because they acted for the tribe. A meeting took place at Port Chalmers. The Natives showed Mr. Symonds and Mr. Wakieldt among other reserves which they pointed out, four spots. There were two spots which they reserved in Port Chalmers, and two in the place where the town of Dunedin now is. Respecting these four, five disputes arose between Mr. Daniel Wakieldt and the chiefs. The first portion of the dispute took up was about a piece of ground which the Natives used as a burial-ground in Port Chalmers. Mr. Wakieldt gave way to the Natives on that account. They proceeded to where Dunedin now stands, and selected the spots mentioned in clause 8 of the petition, as reserves for chief harbours, distant from one another about two hundred yards. The Natives drew a plan including both those spots, and an altercation took place between Mr. Wakieldt and the others as to whether that plan was their own, and would not give it up to the Natives, and the negotiations came to an end. The whole of the Natives, including Towaki, went back with me in my vessel to Waiakunui. Ten days elapsed, and a special messenger from Mr. Wakieldt arrived at Waiakunui, and I think he brought me a note, requesting me to use my influence with the Natives to return to Port Chalmers, and to bring the Natives over in order that negotiations might be resumed. I complied with that request, and took the Natives in my vessel again down to Port Chalmers. I think I could point out both reserves, within a very few feet of the limits which the Natives assigned to them at the time.

1. By the Chairmen:—Can you account for the non-mention of these two reserves in the deed which was executed between the Natives and the Agent of the New Zealand Company? I cannot account for it; but Captain Cargill, Agent for the New Zealand Company, some fifteen years ago built a stone house for the Natives on one of these reserves, and is not always acknowledged his right to that reserve, which is known as the Beach Reserve. Towaki, as I said before, drew a plan of these two reserves, and gave it to Daniel Wakieldt. This plan should be forthcoming; and if John Tupa Pataki is correct when he says, in his petition, that he and his tribe, on the domain of the New Zealand Company, were unable to find written record of these two town reserves, then, in my opinion, the omission was designedly made.

2. As you acted on the reception of the sale, as the friend of both parties, are you asked whether you saw any steps taken to meet the matter? I have spoken to Mr. Massey, the present Superintendent of Otago, and he informed me that he was prepared either to give the Natives a site on the reclaimed land, or, if they preferred it, he would purchase for them a site at Bellchot Bay, close to the water,
and erect a brick building, of the value of £500, for their use and that of the Natives of the Middle Island. Such a site and such a building would answer all the requirements of the Natives, and be the best way of settling the matter.

3. Do you know anything about the reserve in the Town of Dunedin specified in the 28th clause of the petition as having been made by the Governor of the Colony in the year 1838?—Yes. That reserve was made by Sir George Grey, when Mr. Mantell was Chief Commissioner. That reserve contains an area more than four times as large as both the reserves that the Natives originally stipulated should be reserved for themselves; and I may add that, at the time of the original sale, the Natives never laid any claim to have so large an area reserved for them.

4. Will you read the seventh section of the petition, and then state to the Committee what you know respecting the phrase, that "your petitioner was also entitled to one-eighth of the income which their lands might at their option be divided"?—I am quite certain that at the time of the purchase no such question as this was mooted.

John Jones.

Enclosure 3 in No. 81.

The Hon. W. B. D. Mantell to His Excellency the Governor of New Zealand.

Sir,—

At the request of John Topi Patuki, I do myself the honor of enclosing a petition addressed to Her Majesty the Queen, by him, as chief of the Ngatiatu and Ngatiatia Tribe, and of respectfully requesting your Excellency to forward that petition to the Right Hon. the Principal Secretary of State for the Colonies.

The petitioner prays Her Majesty to assert her royal authority to prevent certain claims of his tribe from being extinguished or prejudiced by legislation in the General Assembly of this Colony, those claims being, he submits, of a nature which can and should be decided by the judicial tribunals of the Empire.

In the endeavour to restrict the allegations of his petition to such only as seemed absolutely needful to show a prima facie claim to the consideration prayed for, a clerical omission has unfortunately occurred in the third line of the seventh paragraph of his second page. The following statement should have there appeared, between the words "cancelled" and "the Governor:"—"without any warning to your petitioner's tribe of the intention so to convey this reserve, and without any opportunity having been afforded to them of being heard in defence of their claim thereto before the Executive Council or the Supreme Court."

As the present appeal of this chief to Her Majesty is designed only to pray for her gracious interposition in order to restrain the action of the Legislature to its proper functions, and to maintain on behalf of that race of Her Majesty's subjects in this Colony which is not represented in its Legislature whatever protection of their rights and interests the courts of the country can afford, it has not been thought necessary therein to advert to the injustice of the Provincial Government's demand for the reserve in question—to the history of the Bill now before the Legislature—or to its repugnance to principles already assured during the present Session in "The Private Estates Bills Bill."

I am so unwilling that the accidental omission above noted should in the least weaken whatever force the petition may possess, that I venture respectfully but earnestly to pray your Excellency to forward a copy of this letter to the Right Hon. the Secretary of State for the Colonies with the enclosed petition.

I have, &c.,

To His Excellency the Governor of New Zealand.

Walter B. D. Mantell.

P.S.—I should add that petitions of similar purport have been addressed to both Houses of the General Assembly.

No. 82.

Despatch from Governor Sir George Grey, K.C.B., to His Grace the Duke of Buckingham.

(No. 117.)

My Lord Duke,—

Government House, Wellington, 4th November, 1867.

Adverting to my Despatches No. 106, of the 8th October, and No. 107, of the 11th October, 1867, upon the subject of a petition from John Topi Patuki, chief of the Ngatiatu and Ngatiatia Tribes, regarding a reserve of land in Prince Street, Dunedin, I have now the honor to transmit for your Grace's information the further papers which relate to this subject, from which your Grace will find that previously to quitting my Government I have taken care that every requisite step shall be taken for having the Natives' claim to this reserve judiciously decided.

I have, &c.,

His Grace the Duke of Buckingham and Chandos.

G. Grey.

Enclosure 1 in No. 82.

Memorandum by the Hon. J. C. Richmond.

Wellington, 23d October, 1867.

Exerting to a question put by His Excellency on the subject of the Princes Street Reserve, Dunedin, I have made inquiry, and find that the Attorney-General advised that, no appropriation by the Legislature was necessary to authorize the Colonial Treasurer to pay over the accrued rents to the grantee. He did not, however, express any opinion on the question whether the rents ought or ought not to follow a grant made under circumstances so peculiar as those of the present case.

His Excellency stated that he thought the expenses of a suit for testing the validity of the grant should be borne out of the accrued rents of the reserve. That fund is no longer in the Treasury; but
it is in His Excellency's power to order payment out of other rents of Native Reserves in which the claimants to Prince's Street Reserve, amongst other persons, are interested. Ministers cannot, of course, offer any objection to a payment which His Excellency's personal connection with several proceedings relating to the Prince's Street Reserve give him a peculiar right to direct.

J. C. Richmond.

His Excellency having raised the question whether any injustices to other claimants to the reserve, would attend the payment of the expenses incurred in a suit by or on behalf of the Native claimants, Ministers are of opinion that no injustice would result.

J. C. Richmond.

Enclosure 2 in No. 82.

Memorandum by His Excellency the Governor.

Government House, Wellington, 26th October, 1837.

The Governor, in pursuance of all powers enabling him in that behalf directs his Responsible Advisers to lay before him, for his signature, the necessary documents directing the payment of the expenses of the suit now pending for testing the validity of the grant for the Prince's Street Reserve, in Dunedin, from the rents of other Native Reserves in which the claimants to the Prince's Street Reserve, amongst other persons, are interested.

G. Grant.

Enclosure 3 in No. 82.

Order in Council.

G. Grey, Governor. At the Government House at Wellington, the 26th day of October, 1837. Present: His Excellency the Governor in Council.

In exercise and pursuance of all powers and authorities enabling him in this behalf, His Excellency the Governor, with the advice and consent of the Executive Council of New Zealand, directs that, to the extent of four hundred pounds (£400), such funds as shall be necessary to defray the expenses incurred on behalf of the Natives claiming to be interested in the Prince's Street Reserve, Dunedin, in prosecuting a suit to test the validity of the grant of the said reserve, made on the eleventh day of January, 1838, be advanced out of moneys arising from Native Reserves in which any section of the Ngatunu Tribe is interested. And His Excellency the Governor further directs, with the advice and consent as aforesaid, that such funds as may be so advanced shall be repaid, with interest thereon, as shall be hereafter directed.

Frederick Gorst,

Clk. of the Executive Council.

No. 82.

His Honour the Superintendent, Otago, to the Hon. J. C. Richmond.

Sir,—

With reference to the subject of the interview which Mr. Harris and myself had with you this morning, I now beg to state, on behalf of the Provincial Government of Otago, that it is prepared to engage to set aside for Native purposes a piece of land situated at Pulchert Bay, in the City of Dunedin, of equal area to the Prince's Street Reserve; and further, that the Provincial Government will expend not less than one thousand pounds (£1,000) upon the enclosing of said land, and the erection thereon of a suitable lodging-house or Native hospital, to be constructed of brick.

In making this proposal, I desire it to be distinctly understood that I do so without prejudice in respect of the action now pending in the Supreme Court in re Prince's Street Reserve. The proposal is made solely with a desire to benefit the Natives, and to prevent much useless and expensive litigation.

I am, &c.,

James Macandrew,

Superintendent of Otago.

Hon. J. C. Richmond, Native Minister.

No. 84.

Mr. C. B. Isard to the Hon. J. C. Richmond.

Sir,—

I have the honor to acknowledge the receipt of a letter from Mr. Belliston, dated the 28th instant, enclosing, by your directions, a copy of a letter dated the 28th instant, from Mr. Macandrew to yourself, stating that it is proposed, on behalf of the Provincial Government of Otago, to set aside for Native purposes a piece of land situated at Pulchert Bay, in the City of Dunedin, of equal area to the Prince's Street Reserve; and further, that the Provincial Government will expend not less than £1,000 upon the enclosing of the said land and the erection thereon of a suitable lodging-house or Native hospital, to be constructed of brick.

The letter of Mr. Macandrew does not say whether or not this proposal is made on the supposition that all claim to the Prince's Street Reserve shall be abandoned by the Native owners thereof, but I
assume that I may infer such to be his intention. On this assumption I beg to point out to you the advisability of further particularity in the terms of the proposal. It is not stated in what part of Pelichet Bay the land proposed to be appropriated is situated, and whether or not it has a water frontage, nor is any tracing of the land in question furnished. There is, moreover, no statement or estimate of the value of the land in question, and I fail to discover in Mr. Macandrew's letter any trace of a proposition as to the disposal of the back rents, with regard to which, as I am informed, a proposed enactment is now in the hands of the Legislative Council.

I also beg to call your attention to the fact that the Princess Street Reserve is claimed by a particular tribe of Natives as having been expressly set apart for them, while the proposal in Mr. Macandrew's letter is to set aside the land in Pelichet Bay for Native purposes generally. Such an alteration as this in the purpose for which the land is proposed to be set aside, I need scarcely point out, can be no equivalents to the Natives, who are, as I suppose, asked to give up their claim to the Princess Street Reserve, belonging to them.

The proposal of Mr. Macandrew, if agreed to, would, I presume, require the sanction of the Provincial Council of Otago, and I should therefore be glad to know whether any guarantees can be given that the proposal, if accepted, will be carried out.

On the receipt of further information on the points I have mentioned, I will at once communicate with John Topi and his tribe, and take their opinion on the eligibility of the terms offered.

I have, &c.,

Hon. J. C. Richmond.

No. 86.

The Under Secretary, Native Department, to Mr. C. B. records.

Mr. Richmond directs me to inform you, that, in accordance with your suggestion, further particulars will be sought for me to the terms of the proposals made by Mr. Macandrew. In the meantime, with regard to the point raised by you, that it is proposed to set aside for Native purposes the land in question, whereas a particular tribe lay claim to the Princess Street Reserve, I am to inform you that the land and funds would be secured to the particular Natives who are interested in the Otago reserves.

I am further to observe that if the arrangement were otherwise agreed to, there would be no difficulty as to the reservation of the land proposed to be set aside.

I have, &c.,

W. Rollin, Under Secretary.

No. 86.

The Hon. J. C. Richmond to His Honor the Superintendent, Otago.

Mr. Richmond states in a communication with me, shortly before his late departure for Dunedin, that in the event of the failure of negotiations then pending with the Native claimants to the Princess Street Reserve, the Otago Representatives would not press for the passing of the Bill for dealing with the accrued rents now before the Legislature, but that the Superintendent would accept of these rents as holding the Crown Grant, and would give the necessary undertaking to refund the same if the result of proceedings at law or in equity should be to upset the grant. The Bill has passed the House of Representatives, and I have now the honor to ask whether the statements of the Hon. Mr. Harris are to be regarded as official, and whether the Government are to understand that you wish the Bill to be dropped, and that so far as you are concerned you will adopt the course defined by Mr. Harris?

I have, &c.,

J. C. Richmond.

House of Representatives.

No. 87.

His Honor the Superintendent, Otago, to the Hon. J. C. Richmond.

In reply to your letter just received, I beg to state, officially, that I am now prepared to give the necessary undertaking to refund the accrued rents from the Princess Street Reserve, upon the amount being paid over to the Provincial Treasury. On this being done, I see no object in pressing the Bill now before the Legislative Council.

I have, &c.,

J. Macandrew.

Superintendent of Otago.
No. 88.

The Hon. J. C. Richmond to the Hon. W. B. D. Mantell.

Sir,—

His Excellency having by Order in Council directed that a sum of £400 should be advanced of the Native Reserve Funds for the purpose of enabling the Ngatiwha and Ngatiawhio Natives to bring the case of the Princess Street Reserve before the Supreme Court, that sum has been paid into the Bank of New Zealand to the "Princess Street Reserve Account."

I am led to believe that you will continue to watch the case in the interest of the Natives. On learning from you that this is the case, I will give instructions that the account may be drawn upon only by cheque bearing your signature.

I enclose a copy of the Order in Council to which I have referred.

Yours, &c.,

J. C. Richmond.


No. 89.

The Hon. W. B. D. Mantell to the Hon. J. C. Richmond.

Sir,—

Sidney Street, Wellington, 27th November, 1867.

I have the honor to acknowledge the receipt of your letter of the 26th November instant, No. 623-1, informing me that a sum of £400 has been paid into the Bank of New Zealand to the "Princess Street Reserve Account," and that if I will continue to watch the case in the interest of the Natives you will give instructions that the account may be drawn upon only by cheque bearing my signature, and to inform you in reply that I am willing to undertake this duty.

Yours, &c.,

W. Mantell.


No. 90.

The Under Secretary, Native Department, to the Managers, Bank of New Zealand.

Sir,—

Native Secretary's Office, Wellington, 28th November, 1867.

I have the honor to inform you that the Hon. Mr. Mantell has been authorized to draw upon the sum of £400 placed by me on the 27th instant in the Bank of New Zealand to the credit of the "Princess Street Reserve Fund."

This letter will be an authority to you to honor any cheque or cheques signed by Mr. Mantell, to the extent of the above-mentioned sum of £400.

I attach a slip of paper bearing Mr. Mantell's signature for your information.

Yours, &c.,

W. Bulloch

The Manager of the Bank of New Zealand, Wellington.

Under Secretary.

No. 91.

The Manager, Bank of New Zealand, to the Under Secretary, Native Department.

Sir,—

Bank of New Zealand, Wellington, 28th November, 1867.

I have the honor to acknowledge the receipt of your letter, No. 642-1, dated 28th instant, authorizing the Hon. Mr. Mantell to draw upon a sum of £400 placed to the credit of the "Princess Street Reserve Fund," and enclosing a specimen of Mr. Mantell's signature.

The authority has been recorded, and will have attention.

Yours, &c.,

W. Bulloch, Esq., Under Secretary,

Native Department.

J. Bridges,

Manager.

No. 92.

Memorandum by the Assistant Treasurer.

No requisition was made upon the Comptroller in respect of the £4031 13s. 9d. paid for the Dunedin Disputed Reserve. The money had been placed in deposit with the Bank of New Zealand by the Colonial Treasurer, and was withdrawn from such deposit when required for payment. This was before the coming into operation of "The Public Revenues Act, 1867."

The amount appears in the published Accounts under the heading "Trust Fund," because, although the Public Revenues Act was not in existence at the time of the payment, the operation of the Act was made retrospective, and therefore the accounts of a large portion of the year have had to be reconstructed in accordance with its provisions.

Annexed are copies of the voucher and guarantee under which the money was paid.

Yours, &c.,

J. Woodward,

Assistant Treasurer.

Treasury, 28th July, 1868.
Enclosure 1 in No. 92.

(Voucher No. 4,234, 1867.)

The NEW ZEALAND Government Dr. to SUPERINTENDENT of Otago.

Balance to credit on account of Dunedin Disputed Reserves, 24th September, 1867. £6,031 18s. 6d.

I certify that, to the best of my knowledge and belief, the foregoing account is true and correct in every particular.

To be charged to Deposits, Dunedin Disputed Reserves.

J. W. Under Secretary.

Received on the 24th September, 1867, from the Hon. the Colonial Treasurer, the sum of £6,031 18s. 6d. sterling, in full payment of the above account.

(Signed) JAMES MACANDREW.

Chase No. 2,880.

Enclosure 2 in No. 92.

His Honor the SUPERINTENDENT, Otago, to the Hon. the Colonial SECRETARY.

Sir,—

Referring to your letter of the 24th July, 1867, I beg to state that if the accumulated rents of the Prince Street Reserve, now in the Colonial Treasury, be paid into the Provincial Treasury or to the "Provincial Account" of the Province of Otago at the Bank of New Zealand, and the Crown Grant under which I hold the reserve be at any time hereafter declared invalid, as to the whole of or any part of the land, in any Court of competent jurisdiction by the Legislature, or the right of any portion of the Native race, or of any persons other than the Superintendent of Otago, be established or declared by the Legislature or by any Court of competent jurisdiction to the said accumulated rents, I, as Superintendent of Otago, on behalf of the Province, undertake that a sum of money equal to the sum paid into the Provincial Treasury or to the "Provincial Account," as the case may be, or such part of it as may have accrued as rents of such part of the land as shall be declared or decided to be not bound by such grant, or to be legally held thereunder, shall be repaid by the Province into the Colonial Treasury whenever the Colonial Treasurer requires it.

I also undertake, on the part of the Province, to guarantee the Crown and Government of New Zealand against all claims which may be made against the Crown or such Government in consequence of the above-mentioned rents being paid over to the Province.

I have, &c.,

JAMES MACANDREW,
Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 93.

Minutes for Mr. Baikie.

It appears that £24,431 was paid at the request of the Comptroller into the Public Trust Fund after the Public Revenue Act was passed. How was this amount made up? Has this sum or any portion of it been paid out? If so, state under what authority.

Are you aware whether any requisition was sent from the Treasury to the Comptroller for the sum of £6,031 18s. 6d. Dunedin Disputed Reserves?

Reply by Mr. Baikie.

The sum of £24,431 2s. 2d. referred to by the Committee was made up as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intestate Estates</td>
<td>15,657</td>
<td>15</td>
<td>8</td>
</tr>
<tr>
<td>Real Estates Administration</td>
<td>1,047</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>Supreme Court Account</td>
<td>335</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Trustee's Relief Act</td>
<td>225</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Estates of Deceased Soldiers</td>
<td>904</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Native Reserves, Wellington</td>
<td>136</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Dunedin Disputed Reserves</td>
<td>6,031</td>
<td>13</td>
<td>0</td>
</tr>
</tbody>
</table>

£24,431 2s. 2d.

Out of this amount the sum of £6,031 18s. 6d. was withdrawn from deposit and paid into the Public Account on the 3rd September, 1867. The Public Revenue Act was passed on the 10th October, only the balance, therefore, of the amount first mentioned was paid into the Public Trust Fund after the passing of the Act. This balance, amounting to £18,599 3s. 5d., was withdrawn from deposit and paid into the Public Trust Fund on the 3rd January, 1868.

The sum of £6,031 18s. 6d. was paid out of the Public Account on the 24th September, 1867. The authority quoted on the voucher for this payment refers to the written direction of the Colonial Treasurer. Other sums comprised in the amount referred to (£24,431 2s. 2d.) have been paid out since that date, but it would take some time to prepare an exact statement of them.

A requisition for the sum of £6,031 18s. 6d. was made on the Comptroller when the amount was originally withdrawn from the Public Account for investment. I have also seen a requisition, prepared...
in January or February, to cover issues of money from the Public Account prior to the 31st December, in which this sum was included, but was disallowed by the Comptroller. I am not aware whether any other requisition for this sum was made on the Comptroller, this branch of the Treasury business not being in my charge.

C. T. BARTON,
Accountant to the Treasury.

No. 94.

PROCEEDINGS OF COMMITTEE ON THE DUNEDIN DISPUTED RESERVES.

Monday, 17th August, 1868.

The Committee met pursuant to notice.
Present:—Major Atkinson, Mr. Cargill, Mr. Haughton, Mr. Rolleston, and Mr. Taunton.
Order of reference, 12th August, read.

On motion of Mr. Haughton, Mr. Rolleston was appointed Chairman.

Resumed. That the Chairman be requested to write the Colonial Secretary, asking him to supply the Committee with all papers relating to the Dunedin Disputed Reserves subsequent to the introduction of the Bill entitled "The Dunedin Prince Street Reserve Act, 1867."

2. That the Comptroller be requested to attend the Committee at 11 o'clock to-morrow.

3. That a copy of the Bill entitled "The Dunedin Prince Street Reserve Act, 1867," as introduced into the Legislative Council, be obtained from the Clerk of the Legislative Council.

Tuesday, 18th August, 1868.

The Committee met pursuant to adjournment.
Present:—Major Atkinson, Mr. Haughton, and Mr. Rolleston.

In order to procure some papers relating to the Dunedin Disputed Reserves, the Committee adjourned to Wednesday, the 19th August, at 10:30 a.m.

Wednesday, 19th August, 1868.

The Committee met pursuant to adjournment.
Present:—Mr. Cargill, Mr. Carlston, Mr. Rolleston, and Mr. Taunton.

The minutes of the two previous meetings were read and confirmed.

Mr. Fitzgerald was called in and examined, and gave the following evidence:

1. Are you Comptroller? I am.
2. Were you Comptroller in the month of September, 1867? I was.
3. Are you aware of an item that appears in the Public Accounts for the quarter ending September, 1867, under the head of Dunedin Disputed Reserves? I only know of it from seeing it in the accounts.
4. Was it never made a subject of requisition to you? I remember it being included in a requisition, which, to the best of my recollection, I returned to the Treasurer with a request that the Act might be stated appropriating the money.
5. Was your information of the Treasurer's adopt? I heard nothing further about it.
6. Did you counter-sign the requisition? I did not; if I had, it would now be in my office.
7. Has any money been drawn from the Public Account for the payment of this item? It has not.
8. Are you aware of whether this item of £6,031 18s. 9d. was ever paid into the Public Account? I have no means of knowing whether it was or not. I know the total sums which are paid into the Public Account, but not the sources from which they arise to detail. I may state, however, that a few days previous to the close of the month, I ordered an account of Trust Monies to be made up by the Colonial Treasurer after conference with me. There was some discussion as to what constituted Trust Funds. A sum of about £24,000 was withdrawn from the Public Account and placed in the Bank of New Zealand at interest. After the Public Revenues Act was passed and four separate accounts were established, I called on the Treasurer to pay in this sum to the Public Trust Fund, which was done. If this item of £6,031 18s. 9d. was included in this amount, it was paid into the Public Account. The deposit in the Bank was not operated upon; it was refunded in full to the Public Account, as explained in Mr. Fitzgerald's Financial Statement.

On the motion of Mr. Cargill, the Committee adjourned till Thursday, the 20th August, at 10:30 o'clock a.m.

Thursday, 20th August, 1868.

The Committee met pursuant to adjournment.
Present:—Major Atkinson, Mr. Carlston, Mr. Haughton, Mr. Rolleston, Mr. Taunton.

The minutes of the previous meeting were read and confirmed.

Mr. Barrett, Accountant, was called in, and a list of questions handed to him, to which he was requested to reply to-morrow.

Mr. Woodward, Assistant Treasurer, was then called in and gave the following evidence:—About the end of June, 1867, Mr. Fitzherbert had a statement of balances of the Deposit Account drawn out as it stood on the 31st March. Mr. Fitzgerald and he went over this account, and decided that certain amounts were to be considered as Trust Funds. The amounts are those stated in Mr. Fitzherbert's Financial Statement. The amount was placed as a fixed deposit at interest in the Bank of New Zealand on the requisition of the Comptroller was made for the amount, to transfer it from the Public Account. I cannot speak positively on this point. It was withdrawn from the Comptroller and was in the Colonial Treasurer's name and might be operated on by him. After the
penned of the Public Revenues Act Mr. FitzGerald called on the Treasury to pay this deposit (£24,000) into the Public Trust Fund. There was £20,000 in the Bank. I have no doubt that the amount of £24,000 was paid back in full to the Public Account. The other sum of £6,000 was already bearing interest when the deposit was made, and was paid back in the same manner. It was a round sum of £6,000. Mr. Nethercote stated the balance as £6,081 18s. 6d. to the Comptroller when the money was paid for this sum of £6,081 18s. 6d. The amount did appear after payment in a covering requisition made for the purpose of adjusting accounts. The amount was struck out by the Comptroller. Nothing further appears on record in the matter. It was spoken at several interviews. Instead of interfering with the Deposit Account, which was bearing interest, the Treasury paid the sum of £24,000 2s. 6d. from the Colonial Treasurer's balance, which balance had been shown in the Comptroller's for other purposes.

Mr. Mill, Chief Clerk, Audit Office, was then called in, but was unable to give evidence relating to the question referred to the Committee.

On motion of Mr. Carleton, Resolved, That this Committee adjourn until Friday, the 21st August, at 10.30 o'clock.

Friday, 21st August, 1868.

The Committee met pursuant to adjournment.

Present—Major Atkinson, Mr. Cargill, Mr. Carleton, Mr. Haughton, Mr. Rolleston, and Mr. Tancred.

The Chairman noticed to the Committee that he had received from Mr. Batkin, Accountant of the Treasury, the answers to the several questions that had been submitted to him, which the Chairman proceeded to read as follows:—

1. It appears that £24,000 was paid at the request of the Comptroller into the Public Trust Fund, after the Public Revenues Act was passed. How was this amount made up?—The sum of £24,481 2s. 6d. referred to by the Committee was made up as follows:—

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estate Duties</td>
<td>15,397 15 8</td>
</tr>
<tr>
<td>Real Estates Administration</td>
<td>1,047 10 8</td>
</tr>
<tr>
<td>Supreme Court Account</td>
<td>368 10 8</td>
</tr>
<tr>
<td>Trusts Relief Act</td>
<td>343 7 7</td>
</tr>
<tr>
<td>Estates of Deceased Soldiers</td>
<td>364 10 5</td>
</tr>
<tr>
<td>Native Reserves, Wellington</td>
<td>166 2 5</td>
</tr>
<tr>
<td>Ducedon Disputed Reserves</td>
<td>6,081 18 0</td>
</tr>
</tbody>
</table>

£24,481 2 6

Out of this sum the amount of £6,081 18s. 6d. was withdrawn from deposit and paid into the Public Account on the 3rd September, 1867. The Public Revenues Act was passed on the 10th October; only the balance therefore of the amount first mentioned was paid into the Public Trust Fund after the passing of the Act. This balance, amounting to £18,397 2s. 6d. was withdrawn from deposit and paid into the Public Trust Fund on the 3rd January, 1868.

2. Has this sum or any portion been paid out; also state under what authority?—The sum of £24,481 2s. 6d. was paid out of the Public Account on the 24th September, 1867. The authority quoted on the voucher for the payment refers to the written direction of the Colonial Treasurer; other sums paid in the amount referred to (£24,481 2s. 6d.) have been paid out since that date, but it would take some time to prepare an exact statement of them.

3. Are you aware whether any requisition was sent from the Treasury to the Comptroller for the sum of £6,081 18s. 6d.?—A requisition for the sum of £6,081 18s. 6d. was made on the Comptroller when the amount was originally withdrawn from the Public Account for investment. I have also seen a requisition prepared in January or February, to cover the cost of money from the Public Account prior to the 3rd December, in which this sum was included, but was disallowed by the Comptroller. I am not aware whether any other requisition for this sum was made on the Comptroller, this branch of the Treasury business not being in my charge.

Mr. Woodward was recalled, and gave the following evidence:—

On the 25th June the deposit was made. On the 29th September it matured. The payment of the £6,081 18s. 6d. was made on the 24th out of the Colonial Treasurer's balance, and recomposed on the 29th when the deposit matured. Mr. Batkin has been informed that it was withdrawn on the 3rd. Mr. FitzGerald's statement that the total of £24,000 (in round numbers) was repaid in full to the Public Account is explained by the fact to which I alluded yesterday, that there was a further sum of £8,000 in the Deposit Account, which had been overlooked. The deposit was for three months.

Mr. FitzGerald recalled, and evidence read over to him.

By the Chairman:—Can you explain the discrepancy which appears between your statements and those of the Treasury Officers?—I can state positively that the sum of £24,481 2s. 6d. was withdrawn from the Public Account under the distinct assurance that it should not be operated on, but merely for the purpose of obtaining interest. I called on the Treasury to pay the whole sum into the Public Trust Fund, and was informed, generally, that it was paid in as soon as the deposit matured.

Mr. Woodward, who was present, stated that it was paid in as explained by him, by means of the £6,000 balance in hand; and the sum really paid in was less by £61 18s. 6d. than the original amount.

On motion of Mr. Carleton, Resolved, That the Chairman be directed to make an abstract of the evidence, also of the circumstances under which the Bill of last Session, introduced for the purpose of authorising the payment of this sum, was lost.

On motion of Mr. Tancred, Resolved, That this Committee adjourn till Monday, the 24th August, at 10 o'clock a.m.
Monday, 24th August, 1867.

The Committee met pursuant to notice.

Present:—Major Atkinson, Mr. Carew, Mr. Carlton, Mr. Belcher, and Mr. Tanner.

The minutes of the two previous meetings were read and confirmed.

The Chairmain, in accordance with the terms of the resolution proposed by Mr. Carlton at the last meeting of the Committee, submitted in the form of a draft report an abstract of the evidence, also of the circumstances under which the Bill of last Session was lost; and the same was read as follows:

Your Committee have directed their inquiries to the circumstances under which the Bill to authorise the payment of the sum of £6,031 18s. 6d., being the rents which have accrued from the Dunedin Princess Street Reserve, to the Superintendent of Otago, was lost in two consecutive Sessions of the General Assembly, and also to the manner in which the money was finally paid to the Provincial Government in the month of September last.

A Bill intituled "An Act to declare the Superintendent of the Province of Otago to be entitled to certain Rents received on account of a Reserve situate in Princess Street, in the City of Dunedin," was introduced into the House of Representatives by Mr. Stafford in the Session of 1866. The Bill was committed and reported without amendments to the 20th of September, 1866, and was read a third time on the same day. It is described in the Journals of the House of Representatives as having "lapsed in the Legislative Council." A reference to the Journals of the Legislative Council shows that on the 15th September it "was ordered to be read a second time that day six months."

On the 30th July, 1867, Mr. Dillon Bell obtained leave in the House of Representatives to bring in the same Bill that had been rejected in the previous Session in the Legislative Council. Mr. Speaker expressed his opinion that the Bill was of a private character, and on his suggestion a motion was made that it should be referred to the Joint Committee on Private Bills to inquire into its nature.

On the 6th August, on motion of Mr. Bell, it was ordered that the Bill should be laid aside; Mr. Bell stating that it was not then the matter that he wished to bring forward.

On the 7th August, the Hon. Mr. Stafford obtained leave to introduce the same Bill, stating that the Bill had no other object than to enable the money held by the Colonial Treasurer to be paid to the Superintendent of Otago, in trust for certain purposes.

On the 23rd of August, the House went into Committee on the Bill, and amendments were introduced in the preamble, and in one of the clauses of the Bill, the words "to declare the Superintendent to be entitled to the said sum of £6,031 18s. 6d. subject to the trust expressed in the said grant and in the Bills referred to in the preceding clause," were altered to "the said Superintendent of the Province of Otago and his successors are entitled to the said sum of £6,031 18s. 6d. and," being struck out in section 3 of the Bill. The amendments appear to have been made from the belief that the words struck out would have invalidated the grant. The Bill was read a third time and passed on the 10th of September, and is described in the Journals of the House of Representatives as having lapsed in the Legislative Council. The Bill was read a first time in the Legislative Council on the 12th of September, and is described in the Journals as having lapsed.

The loss of the Bill appears to be attributable to the following circumstances:

On the 17th of August, a petition from a native chieftain named John Topi Pataki, claiming to be interested in the reserve, was presented to the Legislative Council. Its prayer, as described in the Journals, was that "the Dunedin (Princess Street) Reserve Bill be not passed, but that the whole question be dealt with by a judicial tribunal." The petition refers to the Bill as one "whose object, if it became law, would be to deprive his tribe of the funds which have accrued from the letting of this said reserve in Dunedin," and the words of its prayer are, "that your honourable House will refrain from passing a Bill relative to the Dunedin (Princess Street Reserve or its rents)." The petition was referred to the Committee of Public Petitions, which, on the 12th of September, brought up a report recommending that, "inasmuch as the question referred to them in the petition of John Topi Pataki appears to be one which can only be equitably and satisfactorily decided by the Supreme Court, in which it is shown that an action in relation to it is already pending, the prayer of the petitioner be acceded to, and that no measure in any way affecting the question should be undertaken until such decision shall have been given." On the 19th of September, on the motion of the Hon. Mr. Marrion, it was resolved that "the report of the Petitions Committee on the petition of John Topi Pataki be adopted." It would seem that the passing of this resolution was practically a rejection of the Bill, which does not appear to have been again brought under the consideration of the Council.

On the 24th of September, 1867, the accrued rents, amounting to £6,031 18s. 6d., were paid to the Superintendent of Otago, on his giving an undertaking in his official capacity, and on behalf of the Province, that he would, in the event of the grant of the reserve to the whole or any part of the land being declared invalid in any court of competent jurisdiction or by the Legislature, he would repay such amount as was decided to be payable to the Colonial Treasurer. His letter further guarantees the Government against claims which may be made against the Crown or Government of New Zealand, in consequence of the rent being paid over to the Province.

Your Committee has not been able to satisfy itself that this undertaking would be a good security in the absence of an appropriation for the purpose by the Provincial Council of Otago.

It is noteworthy that "The Provincial Lands Act Amendment Act, 1867," was not in force at the time the undertaking was given.

On the manner in which the money in question was paid out of the Treasury, your Committee has taken the evidence of the Comptroller, the Assistant Treasurer, and the Accountant of the Treasury. Their statements differ in some particulars, but the facts of the case appear to be as follows:

On the 29th of June, 1867, an account of money determined to be Trust funds was made up by the Colonial Treasurer after conference with the Comptroller. The total sum, amounting to £24,431 2s. 2d., which included the item of £6,031 18s. 6d., was by requisition on the Comptroller withdrawn.
from the Public Account, for the purpose of being placed as a fixed deposit bearing interest in the Bank of New Zealand.

In the Controller’s words, “This sum was withdrawn from the Public Account under the distinct assurance that it should not be operated upon, but merely for the purpose of obtaining interest. This assurance was required because the Controller considered the requisition not strictly in accordance with the provisions of the Act; but he gave way from a desire that interest might not be lost on the deposit.

After the passing of the Public Revenues Act, the Controller called upon the Treasury to pay the whole amount into the Public Trust Fund, as constituted by that Act, and was informed generally that it was paid in on the deposit maturing.

The Controller, at the time of giving his evidence, entertained the belief that it had been paid in, in accordance with the assurance which was given to him. What actually happened, however, appears from the statement of the Assistant Treasurer.

The deposit was originally made for three months, maturing on the 29th of September. On the 24th of September, the sum of £6,011 18s. 9d. had been paid to the Superintendent of Otago out of the Colonial Treasurer’s balance, and this amount was re-credited out of the deposit when it matured on the 29th of September, leaving a balance of £18,839 6s. 6d. for deposit at that date. This sum remained in deposit till the 3rd of January, 1866, together with a sum of £6,000, of the existence of which the Controller was unaware, and which was omitted from the account given by the Colonial Treasurer of the sums placed in deposit in his Financial Statement of August, 1867. It will be seen, therefore, that this round sum of £3,000 apparently restored the original £24,431 2s. 2d., less £21 18s. 9d., but did not do so in reality, being a sum derived, as already stated, from a different source.

It appears from the evidence that a requisition was made on the Controller for this in common with other items at the time the sum of £24,431 2s. 2d. was invested in the Bank of New Zealand, and that the item appeared subsequently in a covering requisition made for the purpose of adjusting accounts, which had necessarily been in an unsettled state since the coming into operation of the Public Revenues Act. This item was disallowed by the Controller in his requisition, but nothing further appears on record in respect of the payment.

Moved by Mr. Tancred, and agreed to by the Committee, That the following paragraph be added and incorporated with the draft report submitted by the Chairman:

That, with regard to the manner of the payment of the sum of £6,011 18s. 9d. to the Superintendent of Otago, the technical irregularity which attended it might not have required special notices in the transition state of the law affecting the Public Account had the assurance of the Treasury to the Controller, that the Deposit Account would not be operated upon, been adhered to—point to which possession is given by the fact of the Controller having declined to countersign the covering requisition which contained the item; and that, under all the circumstances of the case, special reference be had to the loss of the Bill which was introduced for the purpose of authorizing the payment, the money ought not to have been paid.

On motion of Mr. Carleton, the Chairman was directed to report accordingly.

The Committee adjourned sine die.

Wednesday, 28th August, 1868.

The Committee met in compliance with special requisition.

Present:—Major Atkinson, Mr. Cargill, Mr. Carleton, Mr. Haughton, Mr. Rolleston, and Mr. Tancred.

Minutes of previous meeting read and confirmed.

Mr. Haughton put in the following memorandum:

Under all the circumstances of the case, I cannot agree with the decision of the Committee that the sum of £6,011 18s. 9d. should not have been paid to the Superintendent of Otago in September, 1867, as I consider, as a matter of right, it should have been paid before.

C. F. Haughton.

Member of Committee.

28th August, 1868.

The Chairman then stated that subsequent to the adoption of the Report a memorandum by the Controller had been received by him, and he had accordingly convened a special meeting of the Committee.

The Controller’s memorandum was then read:

On motion of Mr. Carleton, Resolved, That the Committee coincide in opinion with the Controller that the Treasurer is still a debtor to the Crown by the amount of £6,011 18s. 9d., and that as soon as the year’s accounts are placed in the Auditor’s hands it will be that officer’s duty to require the money to be repaid, in accordance with clause 70 of the Public Revenues Act.

On motion of Major Atkinson, Resolved, That the Controller’s memorandum be appended to the Report of the Committee.

On motion of Mr. Tancred, Resolved, That the Chairman be directed to report accordingly.

On motion of Mr. Carleton, Resolved, That the Chairman be directed to lay the minutes of the proceedings of the Committee on the table of the House.

The Committee then adjourned sine die.

Friday, 28th August, 1868.

The Committee met pursuant to notice.

Present:—Major Atkinson, Mr. Cargill, Mr. Carleton, Mr. Haughton, Mr. Rolleston, and Mr. Tancred.

Order of reference of 28th August read.

The special notice was then read, and the following question put to him:—

1. By the Chairman: Your opinion, in August, 1868, was as follows:— ‘‘The grant itself has no such retrospective effect. I think, however, that the money ought to be paid to those who are now
deemed entitled to the land. Clearly the Crown ought not to retain it as part of its revenue. I am disposed to think, as the Commissioner of Waste Lands has recovered it and paid it into the Treasury, the money ought not to be taken out of the Treasury without the Governor's warrant, and that his warrant should not be given without the sanction of the Legislature. I do not think that the mere separation and name of the account under which the money has been paid makes any difference. This is not money to be held in suspense to be kept in a suspense account, and to be dealt with without specific appropriation. Are you aware of any circumstances which would alter your opinion at the time of the payment of the money in 1867? — I cannot say that I recollect any other facts than those that appear on the papers. My opinion in 1868 is an intimation of what would appear to be proper, seeing that these monies had been mixed up with public moneys. I believe there is an opinion about a year afterwards. I am told that I had a conversation with Mr. Fitchherbert before giving the second notice. I do not have an inducement to mention that even is the fact. If I was told by him that this £6,031 18s. 9d. was not confused with the public monies, then I have no doubt I should have said that the £6,031 18s. 9d. might be paid without the sanction of the Comptroller or appropriation by the Legislature. I also think that, even if he had not stated that the monies were not confused, but had informed me that they were rents received under the circumstances under which they had undoubtedly been received, the fact of paying them by mistake into the Public Account would not make them revenue, or render it necessary to obtain the sanction of the Comptroller or appropriation by the Legislature in order to obtain their withdrawal from the Public Account. I believe that I should have given this opinion, because it is now my opinion, and I have given a similar opinion on another matter. I may state as a matter of fact that certain monies were paid into the Public Account by the Registrar of the Supreme Court in Dunedin in 1868 by mistake, after the Public Revenues Act was in force. A difficulty arose about the withdrawal of those monies from the Public Account. On that occasion I gave advice that the opinion I now gave before the Committee. Much correspondence took place on the subject, the Comptroller demanding to ascertain the removal of the money. There is a telegram by Judge Chapman among the papers as follows:—"The money, of which the Government has full particular, was not paid into the Public Account by order of any Judge. It got into the Public Account, instead of the Deposit Account, by the accidental mistake of a clerk. It is now out of the reach of a Judge's order, and should be transferred at once. The rules of 1846 are repealed by the Supreme Court Act of 1890. (Signed) E. S. Chapman." 2. Does the Bill, as introduced in 1867, validate the grant, having in view the words "the Superintendent is entitled," Sec.?—It is difficult to say. The Bill no doubt assumes that the Superintendent is entitled to the land. 3. What effect in law has the guarantee of the Superintendent of Otago, as given in his letter of the 24th of December?—I don't think it has any effect in law. It was considered desirable that there should be some assurance on the terms on which the money was paid out. It was understood that the Government had full assurance on the removal of the money. 4. By Mr. Carleton.] Money having been paid into the Public Account, no matter from what source, is there any means of legally expelling it without the knowledge or sanction of the Comptroller?—If any has been paid in by error, I am of opinion that, if the Bank permits it, it may be drawn. I should not wish this to be taken as a deliberate opinion. 5. Was the Comptroller legally justified under the circumstances in letting the money, £24,431 2s. 2d., go into deposit?—I do not know anything about the facts of the £24,431 2s. 2d. 6. Was the assumption that the Comptroller was not justified, can the money be considered as being legally out of the Public Account?—Undoubtedly the Bank is responsible for this amount, on the assumption that the monies ought not to have been taken out. The money may still, in law, be deemed to be in the Public Account. 7. If the introduction of an empowering Bill, enabling the Treasurer to pay over to the Superintendent of Otago the £20,031 18s. 9d., consistent with the assumption that the Treasury was already in a position to pay out such monies, the assumption was a political reason, such as a desire to avoid responsibility, then it would be advisable to have authority by an empowering Act. It should be borne in mind, also, that the Government had no intention of deciding the question, and, moreover, a grant had been inadverently issued for the land. A further reason would be that the matter seemed likely to be deferred indefinitely, and it was desirable that the money should be paid to one party or other, without prejudice to the opposing claimants. 8. By Mr. Thoms.] Would the Public Revenues Act prevent the payment of these rents without the Comptroller's sanction?—Yes; but at the time of the payment the Public Revenues Act had not been passed. 9. Was the Bill prepared by you?—I don't recollect; but I have no doubt, if it was introduced by the Government, it was prepared by me. On motion of Mr. Carleton, the Attorney-General was thanked for his attendance. On motion of Major Atkinson, the Committee adjourned until Tuesday, the 1st day of September, at 10 o'clock a.m.  —— Tuesday, 1st September, 1869. The Committee met pursuant to adjournment. Present.—Major Atkinson, Mr. Cargill, Mr. Carleton, Mr. Bolton, and Mr. Tancred. Minutes of previous meeting read and confirmed. Mr. Fitzgerald was recalled, and the following questions were submitted to him:— 1. By the Chairman.] It has been asserted that the Treasury has no knowledge of the undertaking alluded to by you as having been come to between yourself and the Colonial Treasurer as to the repayment into the Public Account of the sum of £24,431 18s. 2d., which was allowed by you to be placed in deposit; is there any record on this subject, and can you give the Committee any corroboration to the statement you made?—If there were no such understanding, I am not aware why any part of the money was recalled. Secondly, if that money was intended to be operated upon, I cannot understand
why the Treasury seat in a second requisition. Thirdly, I consider that the undertaking with me was accurately described by Mr. Fitzherbert in his Financial Statement in the following words:—"Outside, however, these figures, there have been transactions to which I must refer, and which indeed are of a character deserving special explanation. I need, perhaps, scarcely inform the Committee (for the question has been raised in various forms from time to time) that the use of money in deposits with the Government has necessarily grown up as a habit in New Zealand, and, however the expediency of the public service may have induced the custom, it is one which I shall not pretend to uphold, and the Government has accordingly decided to propose its discontinuance. There are, indeed, certain deposits of a current character which may, I think, be fairly employed as a working balance, whilst there are others of such a character as to require that they should be held aloof in trust. The practice, however, has not hitherto operated to any appreciable sum belonging to late estates and other funds have been, from time to time, employed for the purposes of revenue. As an instance of reform of this abuse, and in anticipation of legislative action being taken, I have to state that I have caused the following refunds to be made from the Treasury, viz:—

<table>
<thead>
<tr>
<th>Estate/Account</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intestate Estates</td>
<td>£5,307</td>
</tr>
<tr>
<td>Real Estates Administration</td>
<td>£1,007</td>
</tr>
<tr>
<td>Supreme Court Accounts</td>
<td>393</td>
</tr>
<tr>
<td>Justice of the Peace Act</td>
<td>725</td>
</tr>
<tr>
<td>Estates of Decedent Soldiers</td>
<td>2,004</td>
</tr>
<tr>
<td>Native Reserve, Wellington</td>
<td>188</td>
</tr>
<tr>
<td>Dunedin Disputed Reserves</td>
<td>6,081</td>
</tr>
</tbody>
</table>

£8,898 2 2

"This sum has been placed as deposit at interest with the Bank of New Zealand. When, therefore, I am thus enabled to inform the Committee that not only have the funds belonging to Intestate Estates and certain other trusts been refunded by the Treasury during the past financial year, and placed ad interim in deposit at interest with the Bank of New Zealand, awaiting their final disposal by the Legislature, but also that the overdraft account of the Government with the Bank of New Zealand, which in 1864 culminated at £20,000, and in July, 1866, stood at £21,101 1st 42, has, on the 1st July, 1867, wholly disappeared, and that the Government is now in the course of receiving the funds referred to, I feel interested in its balance. I think the Committee will consider that it is a satisfactory announcement, and affords a practical illustration of the prudence with which our finance must necessarily have been conducted. Still, an exchequer system which permits such transactions as the indiscriminate use of trust funds and the indulgence of unlimited overdrafts is not, it must be confessed, a sound one; and if any argument were necessary in addition to those which I hope to adduce in support of an amendment in our revenue laws (to which subject I shall presently recur as one of the proposals of the Government), the present instances certainly afford such argument.

With regard to this understanding, I should wish to state that Mr. Woodward would recollect, and Major Richardson would also recollect, that the question of how the large deficiency in the Public Trust Fund was to be made up was a matter of constant discussion between the officers of the Treasury and the Comptroller for many weeks, and that all these discussions this deposit in the Bank (£24,491 2s. 2d.) was invariably spoken of as one of the assets making up that deficiency. I should be within the mark if I said it was as spoken of at least twenty times, and during the whole of that time, extending over some months, no hint was ever dropped as to the existence of any second fund. The Treasurer therefore always spoke as if it was a settled thing that this sum would be repaid into the Public Account.

2. Is there a written memorandum referring to that understanding—? There is a note on the recommendation made at the time that the money was drawn for the purpose of being placed in deposit. I speak from recollection, and should wish to be allowed to verify this statement.

3. By Mr. Anderson.] Is there any correspondence with the Government on this subject—?—There is not, other than the remarks in writing on the recommendation.

4. By the Chairman.] When did the conversations you mention take place—? They occurred at different times during the whole year before and after Mr. Fitzherbert left.

5. By Mr. Woodward, Assistant Treasurer, was then recalled, and the Comptroller's evidence being read to him, the following questions were submitted to him:

6. Does your recollection confirm the statement of the Comptroller as to the frequent conversations which took place in respect of this deposit (£24,491 2s. 2d.), and the understanding which prevailed between the Treasurer and the Comptroller on the subject—? I have simply to say that such conversations did take place, in which a sum of £24,491 2s. 2d. of round numbers was treated as an asset of the Trust Funds and those conversations of which I speak were held about the month of January, 1868, and often subsequently. I cannot say from memory whether any such occurred previous to Mr. Fitzherbert's departure. In June, 1867, a sum of money was deposited, of which it is said that there was then an understanding that it should be repaid; of this understanding I know nothing. My conversations with Mr. Fitzherbert led me to believe that the money was placed in deposit that it might be available when required for the purposes of the several deposits—in other words, that it should not be spent as deposits had previously been spent.

7. By Mr. Carleton.] Under what denominations were those deposits, which were in reality trust funds, charged—As a deposit account.

8. By the Chairman.] Can you give the Committee any account of the sum of £6,000 which was omitted from the Colonial Treasurer's Statement? For what purposes was it deposited, and, when it matured, what account was it paid?—I wish to correct my statement that it was first deposited in January, 1867. It had been deposited in January, 1868, and was intended to secure the monies belonging to Intestate Estates. When this deposit matured in January, 1867, the money was again

9.£
deposited at interest in the Bank of New Zealand in three sums of £2,000 each. There was more money due to the Intestate Estates. At the time of Mr. Fitzherbert's Statement, the money had been out of the Treasury upwards of a year and a half. When it finally matured, it was paid in to the Public Trust Funds, and was part of the sum of £24,000 to which I have referred. This was in March 1863. It was deposited for the period of 2 years from January, 1867. I cannot at this moment explain why it appears as maturing in March. The sum of £2,000 appears in the Public Account as Bank deposit in the year 1865-66, and I believe in 1866-67, when it appears in the sum of £36,481 2s. 2d.

3. By Major Atkinson.] Will you explain how the amounts of 1865-67 show the sum of £2,000 on either side of the account, if this sum had not passed into the Treasury as stated above?—It passed through the account by a cheque being given on the special deposit, which cheque was immediately redeposited to the same account.

9. By the Chairman! (To Mr. Fitzgerald.) Have you any remark to make after hearing Mr. Woodward's statement?—Mr. Woodward has stated that in the conversation mentioned by me, a sum of £24,000 generally was spoken of. That sum could have had only one meaning in my mind, because I was aware of only one sum deposited, and the Treasury knew that I had no knowledge of any other deposit. A question was raised during Mr. Woodward's evidence as to Trust moneys not being payable to the Public Account under the Comptroller's Act. I wish to state that such moneys were not so payable by law, and were paid in against my protest, so strongly expressed that I at last informed the Treasury by letter that I would only allow this style to continue to the next Session of Parliament, and if Parliament should make no alterations in the law, I must refer to its strict interpretation. I could not prevent the Treasury paying in money if they wished it, but I could prevent the moneys being drawn out. I consider, therefore, that whatever the strict interpretation of the law may have been at that time, the Treasury were bound in honour and good faith by an arrangement which they or their actions induced the Comptroller to acquiesce in. As to the policy of the step so taken by Mr. Fitzherbert, it had my cordial concurrence, and it was adopted with a view to the legislative action which ultimately legalized it. I interpret, therefore, the words in Mr. Fitzherbert's Financial Statement, "in anticipation of legislative action," to mean the passing of the Public Revenues Act, which was then in type, and one clause of which made its action retrospective to the 1st of July, and by which all Trust funds in the Treasurer's hand became part of the Public Trust Fund. Mr. Fitzherbert, therefore, was then proposing to the House to read a Bill for the first time which was to effect that these moneys should become a part of the Trust funds two months before the time he was then speaking; but, had that Bill never passed, I should still consider that the Treasury were bound in good faith, by their own interpretation of the Comptroller's Act, that it should be considered to extend to the Trust moneys.

10. By Mr. Carleton.] Is there any correspondence on the subject going on at the present time?—There is.

On motion of Mr. Carleton, Mr. Fitzgerald was thanked for his attendance.

The following questions were then submitted to Mr. Woodward.

11. By Mr. Carleton.] On referring back to your evidence (20th August), I find the words "after the passing of the Public Revenues Act, Mr. Fitzgerald called on the Treasury to pay this deposit (£24,000) into the Public Trust Fund. There was £33,986 in the Bank. I have no doubt that the amount of £24,000 was paid back in full to the Public Account." I presume you mean £24,000 in round numbers?—I do. The exact sum paid in was £24,389 8s. 5d., composed of two sums of £18,399 2s. 6d. and £6,000 respectively.

12. In other words, you paid back the whole sum of £24,389 2s. 6d. less £51.1s. 8d.?—That is the case; both the similarity of the sum and the difference are accidental.

13. Will you explain what you mean by saying that the difference is accidental?—I mean that we did not intentionally pay back less than the given sum.

14. Do you desire to send in a written statement for the information of the Committee?—I have already furnished Mr. Stafford with a written statement, my history of the transaction.

On motion of Mr. Woodcock, Mr. Woodward was thanked for his attendance.

On motion of Mr. Carleton, Resolved, That the Chairman be directed to call for the papers furnished to the Hon. Mr. Stafford by Mr. Woodward, bearing upon the question referred to the Committee.

On motion of Mr. Carleton, Resolved, That the Chairman be directed to call for Mr. Fitzgerald's present correspondence with the Government.

There being no quorum, the Chairman summoned the Committee for the following day, at 10 o'clock a.m.

Wednesday, 2nd September, 1868.

The Committee met pursuant to notice.

Present:—Major Atkinson, Mr. Cargill, Mr. Carleton, Mr. Rolleston, and Mr. Tareker.

Minutes of previous meeting read and confirmed.

The Chairman notified to the Committee that he had received from Mr. Fitzgerald, the Comptroller, a letter, which the Chairman proceeded to read as follows:

Sr.,—

I beg to correct a statement in my evidence given to the Committee to-day. There is no note upon the requisition of the 27th June; but I appear to have entered the contents of that
To the Chairman of the 
Committee of the Dunedin Reserve. 

The Chairman also submitted to the Committee the Assistant Treasurer's history of the transaction, as forwarded from the Colonial Secretary's Office, and read as follows:—

The history of this transaction, as far as I am personally aware of it, is as follows:—A little before the termination of the Financial Year 1865-66, Mr. Fitzherbert determined, as far as practicable, to secure the sums deposited with the Government from being used for current expenditure, by taking them out of the ordinary bank balance, and placing them where they would be available whenever they might be required. A list was accordingly prepared of the balances of the Deposit Accounts as they stood on or about the 31st of March, which was the latest date to which they could be made up. After several conversations with Mr. Fitzherbert and the Comptroller, this list was reduced to the items afterwards mentioned by Mr. Fitzherbert in his Financial Statement, the total of which amounted to £24,431 2s. 2d., and that sum was withdrawn from the Public Account on 29th June, and placed in the Bank of New Zealand as a fixed deposit, in the name of the Colonial Treasurer, for three months.

There are two things important to be noticed here.—1st. For several years a sum of £60,000 had been placed as a fixed deposit in the Bank, to represent (especially) the Intestate Estates Account. In 1861 this "crops out" and got absorbed with all other funds; but in January, 1866, Mr. Fitzherbert determined to replace it, and as the account was larger than it had previously been, £60,000 was placed in deposit for a year, which deposit was renewed when it fell due in January, 1867. 2nd. Under "The Colonial Treasurer's Account," it was, to say the least, most doubtful whether the control then established had any operation except in respect of revenue (clause 8) and proceeds of loans (clause 9). The inference I drew from this circumstance is, that Mr. Fitzherbert desired to make these Deposit Accounts safe by the deposit which he made, an inference that is entirely consistent with my remembrance of what took place. The first-mentioned sum of £60,000, having been really withdrawn from the Treasurer's balance for nearly eighteen months, escaped my memory (and mine) at the time the £24,431 2s. 2d. was deposited; otherwise I am perfectly satisfied that the amount would have been reduced, and only £18,000 deposited.

Know nothing whatever of the "understanding" referred to by Mr. Fitzgerald, but I am quite clear that Mr. Fitzherbert considered that he was only carrying out the object with which the deposit of £24,000 was made. It is undeniable that the £6,031 1s. 9d. formed part of the sum deposited; and while I would not for a moment "put up" the correctness of Mr. Fitzgerald's statement as to what he considered the "object" of that deposit to have been, I repeat that my understanding (and I think I am justified in saying Mr. Fitzgerald's also, as I gathered my impressions from conversations with him) was, as I have stated above, that the money should be available when required for its original purpose, which in the case under discussion was the repayment of the rents of the Dunedin Disputed Reserves.

As a matter of fact, the money was temporarily paid out of the Colonial Treasurer's balance because the deposit did not mature until the 28th of September, and the money was paid in on the 28th of the month. If therefore it be technically true that the Treasury used money that had been invested for other purposes, it was only for five days, with the certainty of the money being replaced at the end of that time.

I must respectfully differ also from the impression conveyed by Mr. Fitzgerald's memorandum, that the Treasury led him to believe that this precise sum of £24,431 2s. 2d. was repaid to the Public Account. I have a very distinct impression that it was several times mentioned that there was £24,000 in deposit in the Bank. It is highly probable that Mr. Fitzgerald did understand that to mean £24,431 2s. 2d., but in such two sums that together amounted to £24,431 2s. 2d. The amounts by an accidental coincidence, are so very similar that it need not excite surprise that one should be taken for the other.

I venture to add that the £24,398 8s. 9d.—thus eventually (in January and March, 1868) paid to the Public Account—was not money improperly diverted from other uses, but money that had been set apart for this particular purpose.

29th August, 1868.

J. Woodward, Assistant Treasurer, was recalled, and the following questions submitted to him:—

By the Chairman.] In your evidence on Tuesday last you made the following statement:—"I wish to correct my statement that it (the sum of £6,000) was first deposited in January, 1867. It had been deposited in January, 1866, and was intended to secure the money belonging to Intestate Estates. When this deposit matured, in January, 1867, the money was again deposited at interest in the Bank of New Zealand, in three sums of £2,000 each. There was more money due to the Intestate Estates. At the time of Mr. Fitzherbert's Statement the money had been out of the Treasury upwards of a year and a half, and it was agreed to pay it over to the Intestate Estates, and it was put on record in the sum of £24,000 to which I have referred. This was in March, 1868. It was deposited for the period of a year from January, 1867. I cannot at this moment explain why it appears as maturing in March." Can you now explain how this happened?—I find it was simply an accident. The entry in our book on the 23rd of March is for £300, stated as interest on deposit to the 29th January. If my at the Bank inadvertently not bearing interest till March. It was overlooked. I cannot state why the whole round sum of £24,431 2s. 2d. was not repaid in January, 1868, as stated in the report, and it was paid over in the sum of £24,000 to which I have referred. This was in March, 1868. It was deposited for the period of a year from January, 1867. I cannot at this moment explain why it appears as maturing in March."
sum of £24,431 2s. 2d., minus £31 18s. 9d., was repaid to the Public Account, instead of £18,309 3s. 5d., which, on the foregoing assumption, seems all that was required. It was simply to place a sum of £24,431 to the credit of the Public Trust Fund as a working balance, which, together with £36,000 directed to be invested in England, made up the amount belonging to the Trust Fund. Whatever the sum had been, whether more or less than £20,000, it would have been paid in for the purpose already stated.

3. How do you reconcile this statement, namely, "that it was simply to pay this sum of £24,431 to the credit of the Public Trust Fund as a working balance," with the manifest intention to repay the exact sum withdrawn, as shown by your reply to yesterday's question, as follows:—"By Mr. Carlyle: On referring back to your evidence I find the words, 'After the passing of the Public Revenue Act, Mr. Fitz Gerald called on the Treasury to pay this deposit (£24,431) into the Public Trust Fund.' There was £30,000 in the Bank. I have no doubt that the amount of £24,431 was paid back in full to the Public Account. I presume you mean £24,431 in round numbers?—Mr. Woodford: I do. The exact sum paid in was £24,399 3s. 5d., composed of two sums of £18,309 3s. 5d. and £6,000 respectively. By Mr. Carlyle: In other words, you paid back the whole sum of £24,431 2s. 2d., less £31 18s. 9d.?—Mr. Woodford: That is the case. Both the similarity of the sums and the difference are accidental. By Mr. Carlyle: Will you explain what you mean by saying that the difference is accidental?—Mr. Woodford: I mean that we did not intentionally pay back £31 18s. 9d. less than the given sum." Is there not apparently a discrepancy between these two statements?—In September, 1867, a certain amount in deposit (£24,431 2s. 2d.) matured. The sum of £20,018 18s. 9d., which had been paid on the 24th to the Superintendent of Tokyo, was deducted from that amount, and the balance so deposited. This balance, with the £6,000 previously deposited, makes the sum which I speak of as paid in in full. What I meant to say in my evidence on Tuesday was, that the Treasury did not intentionally repay less than any particular sum.

4. You state, apparently from the evidence, that the sum of £24,431 was placed to the credit of the Public Trust Fund simply as a working balance, but from your evidence yesterday, as just now quoted, that the money was repaid to the Public Account in order to replace the sum withdrawn, which, but for the accidental omission of £31 18s. 9d., would have been exact. The necessity for providing a working balance in the Trust Fund branch of the Public Account having been recognised (in January, 1868), that working balance was provided by paying in the moneys previously placed in deposit, namely, £18,309 3s. 5d. and £6,000. Those amounts were paid in in full—that is, such amount as there happened to be; and factually, that being the case, the sum so placed is a similar sum to the sum of £24,431 2s. 2d., which has already been stated to have been purely accidental. It was not paid in, and I never intended to convey the impression that it was to replace any sum whatever, but to provide the necessary balance, as already stated. Of course I am only stating the Treasury view of the matter, or more strictly, my own. Mr. FitzGibbon was absent, and there was therefore no opportunity to refer to him; and I do not remember that Major Richardson (then acting as Colonial Treasurer) took any different view to that which I have just stated.

5. You have informed the Committee that the £24,431 2s. 2d. was placed in fixed deposit to secure it. It appears that a requisition by the Treasury was made on the Comptroller for a part of that sum, namely, for £6,031 18s. 9d., which requisition was rejected by the Comptroller. The money was nevertheless paid to the Superintendent of Tokyo. Allow me to ask, in what did the said security consist, if the money could be spent by the Treasury without the sanction of the Comptroller?—The only requisition in which the money appears, subsequent to June 1867, is the covering requisition made after the money was paid in January, 1868. There was a whole sum of £24,431 to be accounted for on the 24th December, 1867. Requested to call "Covering Requisitions" were made out to account for this sum. These were necessarily to a great extent hypothetical, but where actual payments could be defined they were so. Among those appeared the sum of £6,031 18s. 9d., under heading "Dundas Disputed Reserves." The Comptroller called for the Act to be stated under which the money was paid, and no such Act could be quoted he struck out the item, and the covering requisition was altered and made up without it, either sum being substituted, the actual adjustment being made to the 30th of June now last passed. The security consisted in having the money apart from ordinary Treasury balances, the Treasurer could actually do as he pleased with it.

6. By Major Aikinison: What do you consider was the object in placing in fixed deposit the sum of £24,431 2s. 2d.?—To secure to the extent of the means then at the disposal of the Colonial Treasurer the amounts due for Trust funds, particularly those due to Intestate Estates. In June, Mr. FitzGibbon arranged to spare the sum of £24,431 2s. 2d.

7. How do you reconcile this with the statement given to Mr. Stafford "that the first-mentioned sum of £2,000, having been really withdrawn from the Treasurer's balance for nearly eighteen months, reserve, as has already been stated by you today, only £2,431 2s. 2d. was deposited. Otherwise I am perfectly satisfied that the amount which would have been reduced, and only £15,000 deposited?—Certain balances had been ascertained, which, together, amounted to the sum of £24,431 2s. 2d.; and as I understand Mr. FitzGibbon's object was to show to the House that Trust funds had been provided for, I therefore think, that if the sum of £6,000, then in deposit, had been remembered, he would have reduced the amount he deposited by that sum.

8. It would appear then, from your last answer, that the object of the Treasurer was to place the exact sum of £24,431 2s. 2d. in deposit, and not an amount less than that stated by you today. The only answer to the latter is, that the sum of £24,431 2s. 2d. having been arrived at as certain balances due at a given date, the Colonial Treasurer was fully to the extent of his means in depositing that sum.

9. Do you mean his actual means or the means of which he was aware, not including the £6,000? I mean the means known to himself, not including the £6,000.

10. By the Chairman: Do you then consider that there was irregularity in the transaction, paying this £2,431 2s. 2d.?—Deputamente, I consider there was no irregularity.
11. You state in January, 1868, Mr. Fitzherbert determined to replace the $24,000 fixed deposit on account of Interstate Railroad. Was not this Mr. Stafford—I think it was. I believe I was in error, but it was Mr. Fitzherbert's view. I cannot identify Mr. Stafford, so far as I remember, with this matter.

Resolved, on the motion of Mr. Tarared, That the Committee adjourn until the 4th of September, at 10.30 a.m.

Friday, 4th September, 1868.

The Committee met pursuant to adjournment.

Present:—Major Atkinson, Mr. Carrell, Mr. Darkeston, Mr. Rollaston, and Mr. Tarared.

The Chairman then submitted to the Committee the correspondence between the Colonial Secretary and the Comptroller in reference to the question referred to them, and read as follows:

The Comptroller to the Hon. the Colonial Secretary.

Sr.—Comptroller's Office, 26th August, 1868.

I perceive by the reports in the newspapers that you are represented as having stated in the House of Representatives that a memorandum of mine cast, or seemed to cast, some imputation upon Mr. Fitzherbert. I shall deem it a favour if you will point out to me any words used by me which are capable of such a construction, in order that I may at once remove an impression wholly contrary to my intention.

I have, &c.,

JAMES EDWARD FITZGERALD,
Comptroller.

The Hon. the Colonial Secretary.

The Hon. the Colonial Secretary to the Comptroller.

Sr.—Wellington, 26th August, 1868.

I have to acknowledge the receipt of your letter of this day's date, and to request you to inform me to what newspapers you refer, so I have not read in any of the newspapers a report of statements made by me on the subject to which you allude.

I have, &c.,

E. W. STAFFORD.

The Comptroller to the Hon. the Colonial Secretary.

Sr.—Comptroller's Office, 26th August, 1868.

In reply to your letter of this day's date, I beg to state that the report to which I referred appears in the Wellington Independent of yesterday morning, to which my attention was called only last night.

I have, &c.,

JAMES EDWARD FITZGERALD,
Comptroller.

The Hon. the Colonial Secretary.

The Hon. the Colonial Secretary to the Comptroller.

Sr.—Wellington, 26th August, 1868.

In reply to your letter of yesterday's date, I have to state that the substance of the objection made by me with respect to your memorandum attached to the Report of the Select Committee on the Dunedin Disputed Reserves was, that it accused Mr. Fitzherbert of a distinct breach of an understanding come to between that gentleman and yourself, as Comptroller, by which breach of understanding it is implied that Mr. Fitzherbert irregularly paid away a sum of $2,000 in 1863. As there is no, as far as I am aware, any record of such understanding, I assume that it was a verbal one, and knowing from experience how frequently verbal understandings are interpreted differently by the parties to them (in good faith on both sides), I was unwilling that so grave an accusation should be made against a colleague who, being absent, is unable to state what interpretation he put on the understanding alleged to have been come to with him, as to which there is no record, and which the Assistant Treasurer not only does not corroborate, as referring to the $2,000, but, in question, but believes that, so far as it existed, it referred to other moneys.

I further complained of the inferences which might be drawn from the Report and your memorandum, that the money in question was public revenue and had been paid away without the authority of law, both of which positions I am not prepared to admit, knowing that in the action taken by Mr. Fitzherbert in the matter he was guided by the opinion of the Attorney-General.

I have, &c.,

J. E. FitzGerald, Esq., Wellington.

E. W. STAFFORD.

The Comptroller to the Hon. the Colonial Secretary.

Sr.—Comptroller's Office, 31st August, 1868.

I beg to thank you for your letter of the 26th instant, which enables me to remove from your mind a serious misapprehension of the meaning of my memorandum to the Committee. Perhaps it would be better if I were to state fully the circumstances of the case, upon which you are not probably in complete possession.

When I first became Comptroller I took exception to the issue of money held in trust by the Government, because the Comptroller's Act did not authorize the payment into or out of the Public Account of any money, except money legally payable for or on account of the revenue. Mr. Fitzherbert, however, strongly urged the interpretation of the Act to include all moneys held by the Government. I gave way to this view, recording my opinion in writing (see letter to the Treasurer of July 6th, 1867) that I would continue these issues only until the next Session of the Assembly, when (should no alteration of the law be made) I should be compelled to resort to a rigid interpretation of the Act. I submit, therefore, that the Government having elected to pay these moneys into the
Public Account, and having so paid them in, and drawn them out by requisition on the Comptroller, from the first constitution of the latter office, are deterred, in good faith, from taking advantage of the state of the law at any moment they might find it convenient. The rents of the Dunedin Reserves were, as a matter of fact, paid into the Public Account, as is proved by their being included in the requisition of the 27th June, which, had the money not been so paid in, would have been clearly a fraud on the Comptroller.

With regard to the requisition of the 27th June, by which these moneys were withdrawn from the Public Account, you are somewhat in error in supposing that the understanding was a verbal one of which no record remains. Mr. Fitcherbert distinctly stated that understanding in his Financial Statement recurring to it twice. He stated that these moneys were placed at interest in the Bank as a deposit, awaiting legislative sanction, by which he meant awaiting the passing of the Public Revenues Act, which he then introduced, and which created the Public Trust Fund for their special deposit, and which, by being given retrospective action to the 1st July, made them "Trust Fund" for two months prior to the time when he was speaking. That Mr. Woodward distinctly understood that the requisition of the 27th June was entirely exceptional, and was not intended to be operated on except for the purpose of placing those moneys in the Bank, is proved beyond dispute by his presenting another requisition for drawing the same sum. Had he believed that the first requisition was sufficient, it would have been a fraud to attempt to draw the money for the same service twice over. It is therefore obvious that at that time Mr. Woodward did understand that the issue of the money under the Comptroller's order was still necessary; in other words, that the money was still considered to be in the Public Account, notwithstanding the requisition of the 27th June.

You will therefore perceive that my statement of the understanding which existed as regards that money in fully corroborated both by Mr. Fitcherbert and Mr. Woodward. But further, it is not possible that Mr. Woodward can forget that during several months he was in the habit of discussing with me the question of how the large deficiency in the Trust Fund was to be made up, and that upon every occasion the sum then lying in deposit in the Bank, drawn under the requisition of the 27th June, was spoken of by him as an available means to cover the deficiency. It was invariably assumed upon every occasion on which the deficiency in the Trust Fund was discussed. I was repeatedly informed that this money in deposit would be paid into the Trust Fund as soon as it matured, and I have been repeatedly informed since that it had been so paid in, and never upon any occasion has it ever been hinted that it was not paid in full.

I only learned in the Committee Room that this deposit was deemed to have been operated on by the withdrawal of the sums for the Dunedin Reserves. It now appears that the Treasury claim to have so reduced it, and that a sum of £6,000, the existence of which has throughout the whole transaction been usefully concealed from the Comptroller, was used to make up the deficiency.

At all events, I absolutely decline the slightest intimation to cast any imputation upon Mr. Fitcherbert, who fully carried out his understanding with me by his statement to the House, I feel it my duty to say that I am wholly unable to reconcile the action of the Assistant Treasurer with good faith or candour. I cannot understand how he can have been in daily communication with me upon the subject of making up the deficiency in the Public Trust Fund and can have carefully abstained from any allusion to the £5,000, which really belonged to that Fund, nor do I understand how the Treasury can have led me to suppose that they were paying in one sum of money to the Public Account when they were really paying in another.

I have no official knowledge as to the facts of the Dunedin Reserves, but if Mr. Fitcherbert was a party to the transaction, I have no doubt that he intended to pay it out of the Treasury balances, with the disposal of which it is no part of my duty to interfere, and doing which would have involved no breach of his honorable engagement to myself.

The repayment of the money drawn by the requisition of the 27th June was due in the fulfilment of an agreement and had no such engagement existed, it is totally inexplicable to me why any part of that money was repaid into the Public Account at all. But the payment of the other £5,000 into the Public Account was incumbent on the Treasurer by law, so that he was a debtor to the Crown to that amount until the money was paid.

I have, &c.,

James Edward Fitzgerald,
Comptroller.

On motion of Mr. Caigill, Resolved, That the Chairman be directed to ask the Colonial Secretary if he wish to make a statement before the Committee does their inquiries.

On motion of Mr. Teesdell, Resolved, That the Committee adjourn to Monday, the 7th September, at 11 o'clock a.m.

Monday, 7th September, 1858.

The Committee met pursuant to notice.

Present: — Major Atkinson, Mr. Caigill, Mr. Carleton, Mr. Holbein, and Mr. Teesdell.

The Hon. Mr. Stafford attended, and was asked the following question: —

By the Chairman. | You have, I believe, read the report of the Committee, which was referred back to them on the suggestion made by one of the Committee, in consequence of your remarks in the House upon the subject. Have any questions you would like to make to the Committee upon that subject? — I only wished to guard the reputation of an absent colleague from a charge of dishonesty, which I considered was implied by the Comptroller's memorandum. I objected to Mr. Woodward's evidence not being taken in writing, as the Comptroller's written statement had been attached to the Report, and because the evidence given by the Treasury was not submitted to the House in connection with the Report. If that evidence is now submitted to the House, I have no further objection to raise on that point.

The Committee then adjourned till Wednesday, 9th September, at 11 o'clock, to consider resolutions.
Wednesday, 8th September, 1853.

The Committee met pursuant to notice.

Present:—Major Atkinson, Mr. Cargill, Mr. Carlston, Mr. Haughton—Mr. Rolleston in the Chair.

The Committee adjourned to Thursday, 10th September, at 11 o'clock.

Thursday, 10th September, 1853.

The Committee met pursuant to notice.

Present:—Major Atkinson, Mr. Cargill, Mr. Carlston, Mr. Haughton, Mr. Rolleston, and Mr. Topham.

Minutes of previous meeting read and confirmed.

On the motion of Mr. Carlston, Resolved, That the Attorney-General's opinion of 30th August, 1853, and also that of 24th July, 1857, be appended to the evidence.

These opinions are as follows:

1. On the 6th of August, 1853, I can only refer to my general opinion, given on 17th January, 1856, which is with the papers. I may add, that the opinion was given before the grant was issued. I have conversed with Mr. Dommett on the subject, and have referred him to his minute on Mr. Mantell's letter dated 24th November, 1852. In this minute he says, 'The Otago scheme was to end on the 22nd of November last.' If no charter has been given to the Association, the Governor can grant the land, I suppose.

2. The Governor's note ordering the reserve to be made is on a letter of Mr. Mantell's date 6th April 1853; the note is dated June (and was,) I presume, made in the same year; this was three or four months after the commencement of the Constitution Act here. That Act in section 73 recites the fact that certain terms of purchase, &c., had been by New Zealand Company, in Settlement of Otago, and such terms were in force, as contracts, on 4th July, 1853. The same section then recites the 10 and 11 Vict., and the notice given hereunder, by which the Company's land was transferred to Crown subject to contracts, and recites that provision should be made to enable Her Majesty to perform such contracts. The section then enacts that the Queen may make regulations for disposal of waste lands to be contained in a charter to be granted to Association of Bay Ministers of the Free Church. No charter was granted nor regulations made.

Sir George Grey, under delegation, did make land regulations as to all Provinces but Canterbury and Otago. The Proclamation says, 'These regulations shall comes into force in relation to all desolate lands in New Zealand not reserved to Canterbury Association or Otago Association, fifteen days after receipt of a copy.'

'It appears to have been thought, and I am disposed to think (as far as I can learn) properly so, that the Crown could not delegate to Governor power to make regulations. If this be so, under what power did the Governor act? I cannot learn. But assuming, as I think must be assumed, that on 4th July, 1853, the land was set aside from sale, with intention of keeping it open for quary and other purposes, I think the Governor, even if he had the power to make reserves, was bound to be disposed to think, in law, as a matter of contract; and if not bound in law, he ought certainly not to have been advised to affect this land by ordering it to be reserved for Native purposes.

2. As to second point, the Crown can take legal proceedings, by writ of replevin, to set aside its patent when granted unduly, if my private interest is affected, the Crown is bound of right to permit the use of the Royal name in repealing the patent. If the Crown alleges that this grant ought not to have been made, it may proceed to set it aside. If the Natives interested, or any other person for them, conceive that it ought not to have been, then such persons may, on petition, be permitted to proceed in the name of the Crown; but such persons must proceed on a legal claim—a mere equitable claim, for the Crown cannot be compelled to execute a trust. I think, however, that the claim of the Natives is a legal claim, or nothing.

3. The grant itself has no such retrospective effect. I think, however, that the money ought to be paid to those who are now deemed entitled to the land. Clearly the Crown ought not to claim as part of its revenue. I am disposed to think, as the Commissioner of Crown Lands has received it, and paid it into the Treasury, the money ought not to be taken out of the Treasury without the Governor's warrant, and that his warrant should not be given without the sanction of the Legislature.

I do not think that the mere separation and name of the account under which the money has been paid makes any difference. This is a case where a statute permits money to be kept as a separate account, and to be dealt with without specific appropriation.—J. Fairweather, 30th August, 1856.'

'The land in Princess Street, commonly known as the Princess Street Reservoir, is now vested by Crown Grant in the Superintendent of Otago (ex officio), in trust for quarys or other public buildings or public purposes. Certain monies, as rent of the land received by the Commissioner of Crown Lands before the execution of the grant, but subsequent to date at which the present holder of the grant executed (if such right was executed), are now in the Treasury. I am asked whether these monies can be legally claimed by or be paid to the Superintendent or the Corporation of Dunedin.

'I am of opinion that if the reserve for quary, &c., was sufficiently made; if, in fact, that right which the Governor recognized by executing the grant existed prior to the execution of the grant, and at the time of the receipt of the rents, these rents ought to follow the grant of the land. That is the present position. The question is, is the grant, and that doubt affects their title to these rents. Proceedings are threatened by certain Natives, with a view to obtaining cancellation of the grant. Under the circumstances, I think the Treasurer would not be justified in paying over these rents to the Superintendent of Otago, the present holder of the property, unless he, with the advice and consent of his responsible advisers, will undertake, on the part of the Province, to refund the money paid to the Colonial Treasurer, if and upon the invalidity of the grant being proved by a Court of Law.'

'The Corporation of Dunedin has no claim whatever to these rents; the money can be paid only to the Province.—James Farquharson, 24th July, 1857.'
No. 95.

REPORT by the SELECT COMMITTEE on the DUNEDIN POSTOFFICE REVENUE, 26th August, 1888.

Your Committee have directed their inquiries to the circumstances under which the Bill to authorize the payment of 24s. 2d. on the 1st of August 1881 18s. 9d., being the rents which have accrued from the Dunedin Princess Street Reserve to the Superintendent of Otago, was lost in two consecutive Sessions of the General Assembly, and also to the manner in which the money was finally paid to the Provincial Government in the month of September last.

A Bill intituled "An Act to declare the Superintendent of the Province of Otago to be entitled to certain rents received on account of a Reserve situated in Princess Street, in the city of Dunedin," was introduced into the House of Representatives by Mr. Stafford in the Session of 1883, and was read a third time on the same day. It is described in the Journals of the House of Representatives as having lapsed in the Legislative Council. A reference to the Journals of the Legislative Council shows that, on the 29th September, "it was ordered to be read a second time that day six months."

On the 30th of July, 1887, Mr. Dillon Bell obtained leave, in the House of Representatives, to bring in the same Bill that had been rejected in the previous Session in the Legislative Council. Mr. Speck expressed his opinion that the Bill was of a private character, and on his suggestion a motion was carried that it should be referred to the Joint Committee on Private Bills, to inquire into its nature.

On the 6th of August, on the motion of Mr. Bell, it was ordered that the Bill should be laid aside, Mr. Bell stating that the Government had taken the matter up.

On the 7th of August the Hon. Mr. Stafford obtained leave to introduce the same Bill, stating that the Bill "had no other object than to enable the money held by the Colonial Treasurer to be paid to the Superintendent of Otago in trust for certain purposes."

On the 26th of August the House went into Committee on the Bill, and amendments were introduced in the preamble and in one of the clauses of the Bill, the words "to declare the Superintendent to be entitled to the said sum of six thousand and thirty-one pounds eighteen shillings and ninempees, subject to the trusts expressed in the said grant, and " being omitted in the preamble, and the words," It is hereby declared that the Superintendent of the Province of Otago and his successors are entitled to the said sum of six thousand and thirty-one pounds eighteen shillings and ninempees, " being struck out in Section 3 of the Bill. The amendments appear to have been made from the belief that the words struck out would have validated the grant.

The Bill was read a third time and passed on the 10th of September, and is described in the Journals of the House of Representatives as having "lapsed in the Legislative Council."

The Bill was read a first time in the Legislative Council on the 12th September, and is described in the Journal as having lapsed.

The loss of the Bill appears to be attributable to the following circumstances:—On the 22nd of August a petition from a Native chief, named John Topi Patiki, claiming to be interested in the reserve, was presented to the Legislative Council. Its prayer, as described in the Journal, was that, "the Dunedien Princess Street Reserve Bill be not passed, but that the whole question be dealt with by a judicial tribunal."

The petitioner refers to the Bill as one whose object, if it became law, would be to deprive his tribe of the lands which have accrued from the letting of this said reserve in Dunedin. "The words of its prayer are, "That your Honorable House will refrain from passing a Bill relative to the Dunedin Princess Street Reserve, or its rents."

The petition was referred to the Select Committee on Public Petitions, which, on the 12th of September, brought up a Report recommending that, "inasmuch as the question referred to them in the petition of John Topi Patiki appears to be one which can only be equitably and satisfactorily decided by the Supreme Court, in which it is shown that an action in relation to it is already pending, the prayer of the petitioner be accepted and that no measure in any way affecting the same shall be taken until such decision shall have been given."

On the 17th of September, on the motion of the Hon. Mr. Musieze, it was resolved that "the Report of the Petitions Committee on the petition of John Topi Patiki be adopted."

It would seem that the passing of this resolution was practically a rejection of the Bill, which does not appear to have been again brought under the consideration of the Council.

On the 28th of September, 1887, the accrued rents, amounting to £2,800 18s. 9d., were paid to the Superintendent of Otago, on his giving an undertaking in his official capacity, and on behalf of the Province, that in the event of the grant of the reserves or to the whole or any part of the land being declared invalid in any Court of competent jurisdiction, or by the Legislature, he would repay such amount as was decided to be payable to the Colonial Treasurer. His letter further guarantees the Government against all claims which may be made against the Crown or Government of New Zealand, in consequence of the rents being paid over to the Province.

Your Committee have not been able to satisfy themselves that this undertaking would be a good security, in the absence of any appropriation for the purpose by the Provincial Council of Otago.

It is noteworthy that "The Provincial Lawsuits Amendment Act, 1887," was not in force at the time the undertaking was given.
On the manner in which the money in question was paid out of the Treasury, your Committee have taken the evidence of the Comptroller, the Assistant Treasurer, and the Accountant of the Treasury. Their statements differ in some particulars, but the facts of the case appear to be as follows:

On the 28th of June, 1867, an account of money determined to be Trust funds was made up by the Colonial Treasurer, after conference with the Comptroller. The total sum, amounting to £26,481 2s. 2d., which included the item of £26,011 18s. 9d., was, by requisition on the Comptroller, withdrawn from the Public Account, for the purpose of being placed as a fixed deposit, bearing interest, in the Bank of New Zealand. In the Comptroller's words, this sum was withdrawn from the Public Account under the distinct assurance that it should not be operated upon, but merely for the purpose of obtaining interest.

The assurance was required because the Comptroller considered the requisition not strictly in accordance with the provisions of the Act; but he gave way from a desire that interest might not be lost on the deposit. After the passing of the Public Revenues Act, the Comptroller called upon the Treasury to pay back the whole amount into the Public Trust Fund, as constituted by that Act, and was informed generally that it was paid in on the deposit maturing. The Comptroller, at the time of giving his advice, entertained the belief that it had been paid in accordance with the assurance which was given to him. What actually happened, however, appears from the statement of the Assistant Treasurer. The deposit was originally made for three months, maturing on the 29th of September. On the 24th of September, the sum of £26,011 18s. 9d. had been paid to the Superintendent of Otago out of the Colonial Treasurer's balance, and this amount was recouped out of the deposit when it matured on the 29th of September, leaving a balance of £21,990 19s. 2d. for deposit of that date. This sum remained in deposit till the 3rd of January, 1868, together with a sum of £9,600, of the existence of which the Comptroller was unaware, and which was omitted from the account given by the Colonial Treasurer of the sums placed in deposit in his Financial Statement of August, 1867. It will be seen, therefore, that this round sum of £30,600 apparently restored the original £26,481 2s. 2d. minus £31 18s. 9d., but did not do so in reality, being a sum derived, as already stated, from a different source.

It appears from the evidence that a requisition was made on the Comptroller for this, in common with other items, at the time the sum of £26,481 2s. 2d. was invested in the Bank of New Zealand, and that the item appeared subsequently in a covering requisition made for the purpose of adjusting accounts which had necessarily been in an unsettled state since the coming into operation of the Public Revenues Act. The item was disallowed by the Comptroller in this requisition, but nothing further appears on record in respect of the payment. That with regard to the manner of payment of the sum of £26,011 18s. 9d. to the Superintendent of Otago, the technical irregularity which attended it might not have required special notice in the transition state of the law affecting the Public Account had the assurance of the Treasury to the Comptroller, that the deposit account would not be operated upon, been adhered to, a point to which prominence is given by the Act of the Comptroller having declined to countenance the covering requisition which contained the item, and on the general question of the payment of the sum, your Committee consider that, under all the circumstances of the case, special reference being had to the loss of the Bill which was introduced for the purpose of authorizing the payment, the money ought not to have been paid.

Subsequent to the adoption of the above Report, a memorandum by the Comptroller was received by the Chairman, and a special meeting of the Committee ordered, when the Chairman was directed to append the following Supplementary Report, along with the memorandum of the Comptroller:

"Your Committee consider in opinion with the Comptroller that the Treasury is in effect a debtor to the Crown by the amount of £9,601 18s. 9d. and that as soon as the year's accounts are placed in the Auditor's hands it will be to that officer's duty to require the money to be repaid, in accordance with clause 70 of the Public Revenues Act.

Mr. Rolloston moved, That the Report be printed.

Major Atkinson moved, That the question be amended by the omission of all the words after "Report" with a view of substituting the words "be referred back to the Committee for further consideration."

And the Question being put, That the words proposed to be omitted stand part of the Question, it passed in the negative.

Then the Question being put, That the words proposed to be substituted be so substituted, it was resolved in the affirmative.

Ordered, That the Report be referred back to the Committee for further consideration.

On 16th September, 1868, Mr. Rolloston, from the Select Committee on the Disposed Reserves, brought up a Report, and the same was read as follows:—Your Committee having taken further evidence, including that of the Attorney-General, on the subject of the Report referred back to them by the House, on the 28th ultimo, are unable to see reason for departing from the conclusion at which they had previously arrived.

Ordered, That the Report do lie upon the Table.

Ordered, That the Report, and all evidence taken before the said Committee, be printed for the use of members of this House.

No. 96.

Proceedings of the Court of Appeal in re Prince's Street Reserve, Dunedin, on the 2nd, 3rd, and 4th November, 1869.

[Before their Honours Sir G. A. Arney, Chief Justice, A. J. Johnson, Greig, Richmond, and Ward.]

The Queen, Plaintiff in Error v. James Macmenamin, Defendant in Error.

Messrs. F. G. Allan and Izard for the Plaintiff in error; Messrs. Travers, Smith, and Macassey, for the defendant in error.

48
Mr. ALLAN.—I have to appear, your Honors, in support of an appeal from the judgment of His Honor Mr. Justice Ward, delivered at Dunedin. The case originally came before His Honor in the form of a demand to a surety by the defendant, and judgment was given, as I understand, upon the declaration. Nothing was said as to the merits or demerits of the plea, and as present I am rather in the dark as to whether the plea was allowed or not. The judgment was then proceeded upon the merits of the declaration, and the declaration was held to be bad. Of course, in this appeal, we have, I assume, not only the merits of the declaration but of the plea to consider; and therefore the whole record will be open, and judgment will be given for that party who is entitled to receive it. This case is, of course, one of very great importance, and I may say of very great novelty. I have looked through a variety of books for precedents; and as I can find no recent cases bearing on the subject, the authorities are old on which we shall have to rely. In the present case the case contains a writ in the form of a scire facias, issued in the name of the Queen, to ascertain whether a certain Crown Grant issued by the Governor of this Colony to the Superintendent of Otago is good or not. [Writ of sc. fac. red.]. That is the declaration founded on the writ, which has followed as closely as possible to any precedents that could be found on these matters. It first of all sets out the grant which is an record, and which we propose to make void; it then goes on to show certain trusts made by the Governor of the Colony with the advice of those who were then acting as his Advisers. Then it says that in conformity with these trusts reserves were duly and legally made; and that subsequently the Governor, by mistake, signed these letters patent granting the land to the Superintendent of Dunedin. To this there is a special plea. Of course it must be assumed that this record being all that is before the Court, that the only plea in answer to the writ and declaration we have brought against the Superintendent of Otago. It is neither long nor long, and sets up matter which I shall show the Court is no answer to the declaration. It is a very nice and clear narrative of Acts, which is an English pleading seems to me rather lengthy, but the facts which the plea is alleged to set out are not clearly enough. [Plea read.] To this plea it was thought necessary to doom on the following grounds:—'It. That the second plea is bad, as being an argumentative traverse of the terms of the writ and declaration that the grant therein mentioned was made by mistake.'

JOHNSTON, J.—There is nothing in that that is special pleading, and we have no special demurrer here. I do not think the plea was bad because, although it amounted to a traverse of the declaration, it was at the same time argumentative.

RICHARDSON, J.—The question is whether the statements in the plea are sufficient in answer to the declaration, and the fact of the argument does not make them bad.

Mr. ALLAN.—I shall draw your Honors' attention to this presently, that the rules and proceedings in England as to scire facias are in force here, and special demurrers are not abolished there.

RICHARDSON, J.—Would that not be subject to our judgment? We have adopted special rules, but subject to general rules of proceeding and pleading. That is what was going on at the time of the second the plea was made, and it was made clearly enough, that the plea was made by mistake, might have been expounded as irrelevant, but it is another thing to say it makes the plea bad if there are substantial allegations in it.

Mr. ALLAN.—Then the 2nd ground of demurrer is "That the facts stated in the second plea do not amount to a traverse of the said allegation of mistake. 3rd. That the second plea does not show any covenant or agreement binding on the Crown so as to prevent the land in the grant comprised, being set apart as a reserve for Native purposes. 4th. That the second plea does not traverse the allegation that the land in the grant comprised was in fact reserved for the benefit of the Native inhabitants in the said writ and declaration mentioned before the making of the grant, and so admits that the said grant was made in breach of the provisions of the Public Reserves Act, 1864." We say then that on that plea it is a clear admission that the reserves were made. "5th. That the second plea admits that the Governor executed the grant under a mistake, in that he believed the land comprised in the grant to be land which he had power to grant, being a Native reserve. 6th. That the said second plea is made in support and in support of the following objections to the demurrer:—'1st. That the declaration does not allege or disclose any act of fraud, deceit, misrepresentation or other misconduct on the part of the defendant or any person acting on his behalf which led to the issue of the Crown Grant. 2nd. That the declaration does not show or allege that the alleged mistake was a mutual one.'

JOHNSTON, J.—I do not know what that means at all.

RICHARDSON, J.—It refers to the equitable doctrine, I presume, that there must be a mutual mistake.

RICHARDSON, J.—It does not point to us the mutability of between whom.

Mr. ALLAN.—I gather that was their intention to annul these Crown Grants to deeds between subject and subject, and that the law as to the mitigation of contracts between parties would show that a mutual mistake should have been alleged. 3rd. "That the declaration does not allege or show that the grant was made and issued to the defendant in ignorance or of the person on the part of the said Governor and his said Executive Council of the alleged trust for Native purposes." 4th. "That consistently with the averments contained in the declaration, the alleged mistake may have been one of law or equity merely, or as some other character not rendering the grant voidable." 5th. "That the declaration does not allege or show any act of fraud, deceit, misrepresentation or other misconduct on the part of the defendant in respect of the grant to the defendant; for the Governor had not, at the time when the said alleged trust was created, or at any time, power or were more to alienate any of the public lands of the Colony for purposes not
directly authorized by the terms of his commission or instructions, or by some Act of a competent Legislature. I understand that objection to amount to this, that the reserves would be properly made if you show that the Governor had power to make them; but they are not properly made because the Governor had no such power.

I am afraid I must again point to this, that the Governor ought to be passive in the matter, and should not make them until he was stirred.

Mr. Arlauf.—We have it on evidence that he was stirred both by the Commissioners for Crown Lands and the Civil Secretary.

Mr. Richmond.—Still the Commissioners was only a creature of the Crown.

Mr. Allin.—The 9th objection is, that the declaration fails to show how the Governor derived any authority to make reserves of public lands for Native purposes. The Commissioner, with the declaration, it may only have been intended by the Governor to devote the lands granted to the defendant to Native purposes temporarily, or as long as the lands might be required, or as long as members of the Native race might actually resort thereto, but the declaration assumes that the lands were to be set apart for Native purposes absolutely. 8th. That the declaration does not show that any of the said grant in trust in which the supposed trust was created was living, or have any representatives who may benefit by the repeal of the grant, or that the Crown would, or could, if the said grant was repealed, give effect to the said alleged trust. 9th. That the declaration does not disclose a claim for a specific performance of the said alleged trust against the Crown, nor does it disclose a sufficient case for relief on the ground of mistake, even as between private individuals. 10th. That by the writ and declaration it appears that the Sheriff of the District of Wellington has been required to perform a duty outside his jurisdiction or bailiwick. The last objection was abandoned in the Court below. The judgment was entered up, and according to the Cornwall law August 12. I do not really see that the points referred to are of sufficient importance, and it appears to the Court here that the said declaration is bad in substance. Therefore it is considered that the plaintiff take nothing by her said writ, and that the defendant do go thereof without day, &c. Then the errors are set out, and there is a joinder by the defendant. That is the state of the record, and, as I understand, the learned judge, in giving judgment, held, first of all, that the agreement was not good, as not being properly set out, and that the reserves were not properly made because they were contrary to the law, and, secondly, that, I believe, was the principal point upon which judgment was given. That the Governor had only a limited power by his instructions; and according to those instructions it was shown that the reserves could not have been made, because they were not within the limited circle within which he could make reserves. In considering these objections, and in considering the validity of the declaration or the validity of the plea, it is of importance (in fact, it is the first step we must take) to ascertain clearly what is the law in reference to disallowing Crown Grants. We are not here to consider the form and validity of a deed as between subjects, but we are here to consider what should be done, or has to be done, by the Sovereign in reference to any objections which the Sovereign himself may take, or others may suggest to her, in regard to such grants. The law on that subject must be clearly ascertained so we can for a moment say whether this plea or this declaration is good. We may assume at starting that whenever a Crown Grant issued by the Sovereign is to be impeached, another way of doing so may be followed; but where the actual intention is to upset, recall, or cause these grants, then it is essential to show under what circumstances Courts sitting as representatives of the Sovereign can say those grants are bad, and whether they should be cancelled; and it is utterly incorrect to say that they are to be treated as deals between subjects. In Forster on *Seine* *Pacta*, page 242, I find the following:—Every such grant by letters patent of the sole right to make, use, possess and vend any invention, is void if the invention was not invented or found out *by the grantee*, or first introduced into the kingdom by him, and also if the invention is not new and useful to the public; or it is void for uncertainty or being too general, or if it is not accompanied by the law and practice of the Crown in like cases, or if there is a breach in the Governor's warrant in that respect; or where he has granted more than he lawfully may, or what may be to the prejudice of the commonwealth, or to the general injury of the people, or where he has granted the same thing to two persons. Again at page 265.—"If the patent be void for any of the reasons which have been briefly assigned as sufficient to nullify the grant the Queen *jure regis*, for the advancement of justice and right, may have a *sci. fo. to repeal her own grant*. A *sci. fo* is the only means which the law provides for the repealing of letters patent, and it lies at the suit of the Crown. In *Stewart's Blackstone*, vol. iii. p. 350 (p. 259, Hawevers's edition, 1839), there is this passage:—"Where the Crown hath unadvisedly granted anything by letters patent which ought not to be granted, or where the patentees have done that act that amounts to a forfeiture of the grant, the remedy to repeal the patent is by writ of *sci. fo.* in Chancery. Again, in *Stephan's Commentaries*, 3rd ed., vol. i. p. 519:—"The manner of granting by the Crown does not more differ from that by a subject than the construction of such grants when made. For, 1st, a grant made by the Crown at the suit of a grantee shall be taken to be the act of the Crown, and where the grantee is the object of a suit against the Crown, it must be strongly against the grantor. Wherefore it is usual to insert in the royal grants, that they are made, not at the suit of the grantee, but *ex specialis gratal, ex subiectis, et merito nostro reginae (Aut regis)*, and then they have a more liberal construction; as is also the case when they are made upon a valuable consideration. A subject's grant shall be construed to include many things besides what are expressed, if necessary for the operation of the grant. Therefore, in private grants of the profits of land for one year, from insects, snakes, and mice, if there be any mice or snakes on the land, the lease is void; and if the land was made by a lord to his vassal, this operated as a termination, for he was otherwise unable to hold it. But the grant of the Crown shall not imply to any other intent than that which is precisely expressed in the grant, so if it grants land to an alien it operates nothing, for such grant shall not also more to make him a denizen, so that he may be capable of taking by grant. When it appears from the face of the grant that the Crown is mistaken or deceived, either in matter of fact or in matter of law, as in case of false suggestions, misrepresentation, or mistakes, the former grant shall be considered to be different from what was supposed; or if the grant be informal; or if an estate be granted contrary to the rules of law,—in any of these cases the grant is absolutely void. For instance, if the Crown
grants lands to one of his horses mare, this is merely void; for it shall not be an estate tail, because there want words of preemption to ascertain the body out of which the horse shall issue; neither is it a tail-sire, as in common grants it would be, because it may reasonably be supposed that the King meant to give no more than an estate tail; the grant is therefore for (a certain) nothing more than a tenant in tail.

—Richard Bladen, 2 Bladen & Studdard, 60, 61, 62.

I would also call the attention of the Court to the following passage from Bacon's Abridgment, vol. vi. 566, Title, Prerogation. As the King's grants proceed chiefly from his own bounty and his letters patent are records of a high nature, they ought to contain the utmost truth and certainty, and have, in all times, been construed most favourably for the King, contrary to the grants of common persons; and accordingly in a great variety of cases we find uncertainty, intercalaries, false suggestions, and all such matters as are usually avoided in grants to common persons, but which are allowed to the King for the grants.

In a matter, therefore, in which such great estates have been required, it may be necessary, in the first place, to lay down the following general rules—First, that in the construction of letters patent every false recital in a part material will not vitiate the grant, if the King's intent sufficiently appears. This was so held in the case of The King v. Bishop of Chester, where a grant was made to a person as a knight, who in truth was no knight; and though the grant was held void for this reason, in 41 Ed., yet the judgment was reversed in Parliament. Secondly, that, if the King is not deceived by the false suggestions of the party, but only mistake by his own surmises, this will not vitiate his grant, and so was the resolution in the case of The King v. Kemp. Thirdly, that though the King mistakes, either in matter of law or fact, yet, if this is not any part of the consideration of the grant, it will not vitiate it, and so is Lord Chancellor's case. Fourthly, that the words envoit a certain, in the King's charters and letters patent, do occasion them to be taken in the most benign and liberal sense, according to the intent of the King as expressed in his great grants. Fifthly, that though in the King's grants the recital of the grant shall be material, yet if the King's intent is plainly expressed in the grant in part, it shall suffice according to that, and is not to be restrained by the recital.

The first grant authority that I find upon this subject, and in which the law seems to be most fully gone into to show the main principles upon which the Courts will act in considering whether a grant from the Crown is to be held void or not, is the case of Allen v. Woods, Coke's Reports, part 1, 430. In his master's edition, at page 431, Coke says, 'I suppose the other side do not for a moment impugn the law you are now laying down. This is not the grant by the Governor of a larger estate than he be, nor is it a ministerial of the estate on the grant; but I presume they will agree that the reservation is not lawfully made.

Johnson.—They may admit all this law, and any, 'That is not our case at all. We do not deny that q. jure will be if only you can make out that there was a complete operative legal reservation beforehand.' If they would admit that, it would save arguing what is not desired.

Mr. Travess.—We do not admit that, but we want to set the legally created trust.

Mr. Attan.—Then I will simply refer your Honour to the authorities upon the subject: They are the Duke of Chandos's, 6 Co. 55; Earl of Bunbury's Case, 2 Rep. 57; Allen v. Cook, 5 Strange, 230; and Glouchester v. Earl of Sandwich (ante supra). It is essential that I should state to the Court what I conceive to be the common law and legal principles to be drawn from those cases. I take it, from the authority of these cases, that if the Sovereign, or the Governor, representing the Sovereign, never intended to grant the land at all, that would make the grant void. Secondly, assuming that the Governor intended to grant the land, if he had granted the whole interest in that land before to one else, that would clearly make the grant void. Again, it has been held, in more than one case, that a grant by the Crown may be made good in this way:—If the Crown only granted the principal estate and then granted the reversion over, and if the Crown in doing so was perfectly aware of its intention, and had not been deceived in any way, that grant might take effect in giving possession. For instance, if the grantee acquires a life estate in some one else, and then goes on to grant his reversion to the person who has purchased the freehold of the estate, although he has told him what the previous estate is, but if there has been a previous estate created, and a person subsequently gets the estate created to him and does not take care to have the previous estate recited on the face of the grant, then it is very clear that the King has been deceived, and that would make the grant void. I think these are the general principles upon which Crown Grants are held to be good or bad. There is no doubt that the Court would hold the grant to be good if it could, but as it impairs the Queen's honor that she should not be giving anything that she does not possess, it must be shown clearly on the face of the grant that she knew of the estate early and intended to give that up.

Johnson.—Coming nearer to the point, we may put it thus: Supporting the case of mistake to arise in this way, that there is a valid grant to A.B., and then, by mistake or misinformation, the Queen is induced to grant the same estate to C.D., it is a question whether there is any necessity for q. jure, at all. If the former grant remains good, perhaps a q. jure is not necessary. But the question here is rather whether the facts in each of these cases would, if true, be such as to render a grant void. Now, as I understand the allegations of this case, there was an exercise of the Royal will creating an interest and reserving a portion of land, which, though not done by deed at the time, inured and had practical operation. Then you say, That being so, the mistake was that, at a time subsequently, when the Queen granted this land to the Superintendent of Otago, she was misinformation as to the operation of her former grant.

Mr. Atkins.—That is one of my points. It is essential not merely that such grant should have been for an estate tail, but it should appear on the face of it that the Governor has been informed of the previous reservation. And even though my friend should push it to the furthest point, and say that it was a terminable estate, it would not only be necessary for him to show that the parties were no longer in existence, and therefore the estate had terminated, but also it should be recited on the Crown Grant thus such an estate as was existing when the grant was made.

Answer, C.J.—That the same lands were already reserved for Native use? But would not that imply still the existence of what was reserved, and when he was doing what he had no power to do, in giving away other people's property, or he must say that it was only granted to the Natives for a particular purpose, and he was then giving the fee over. This was not giving an estate
to the Natives; it is a reservation for the members of the tribe so long as they should reside at a particular place. But then he does not give it in that sense. One does not see what the Advisers of His Excellency could have put upon the face of this grant so as to bring this within the cases you are citing. It appears to me that those authorities are perfectly true in themselves, but they are not pertinent to this case.

Mr. Allan—In considering the different phases in which the case may be put, as I understand from the nature of the objections. If they admit that we have had a valid and absolute reservation made, then the grant falls. But if they say that there has been some sort of a grant made, but not for a particular time or for a particular estate, or to last during the lives of any person, then I ask in order to make the Crown Grant good that must be recited on the face of it.

Buchanan—You are arguing for them, that if it can be shown that all that is wanted in the particular is as before the particular is as before the particular a wrong has been done, because the grant does not recite the particulars previously granted, and therefore the Crown was doing what it was not aware of. That is the reason why I thought it necessary to refer to these cases.

Mr. Allan—Everything seems to turn upon the validity of the alleged reservation in 1836. If that were valid, the other side seems to admit that the Crown Grant could be sold. The principles for which Mr. Allan has been contending are, as I understand, admitted, therefore it is not necessary to elaborate the point. The main is, that the Crown does no wrong; if a party shows that the action of the Crown will do him a great wrong, the Crown is supposed to be deceived by its advisers, and a writ of sci. fo. issues.

Mr. Allan—Then I will come to the objections to this declaration. I contend that the declaration would be good even supposing all the earlier allegations were left out up to the more particular of the Crown Grant. I contend that it was already recited. There are objections on demurrer, and therefore we must assume that all the facts are true as set out on the demurrer; and therefore, assuming that all previous allegations were left out, I say it would be sufficient if there was the mere allegation that we are informed by mistake the Governor signed that grant without saying what sort of estate had been created.

Amery, C.J.—Would not the declaration be required to allege the fact of a previous reservation, so as to point the general allegation that a mistake was made?

Mr. Allan—I have no authority to support the view in reference to sci. fo.; but I think, where an equitable plea is set up by mistake, there is an allegation that the parties have been mistaken, and that is sufficient.

Wade, J.—But here you set up the reason. You say there was a prior trust, therefore the Crown Grant was issued by mistake. You set up the mistake itself, and therefore there is no use in arguing that it might possibly be right if the allegation you set up were omitted.

Buchanan—I cannot conceive, supposing you were in the Court of Chancery, that you could merely state in your declaration that there was a mistake, without showing what that mistake was.

Amery, C.J.—On that you could never answer an allegation by simply saying, "There is a mistake."

Mr. Allan—Assuming that the mistake was set out on the declaration, that the Governor had previously reserved this land for the use of the Natives, then I say that would be a ground for setting aside this grant.

Buchanan.—In fact, as far as I see, in order to support the declaration you must say that there had been such a previous disposition of the property in question by the Governor within his powers, that the subsequent issue of the grant was in derogation of his former act, and therefore the Crown Grant was issued by mistake.

Mr. Allan—The objection to the declaration must be taken in this way: That this is not a traverse but a demurrer to the declaration, and all the allegations stated in the declaration must be supposed to be true. I have a right to consider every way in which it can be treated as good. I am first putting before the Court how far that would be, supposing the Governor was not aware, at the time of making the grant, of the previous reserve. The question is, whether the facts stated in the declaration, being necessarily taken as true, show ground sufficient to upset the Grant? I say they do. It is admitted that an application was made by the Commissioner of Waste Lands, and that the reserve was afterwards made; that the right of the Crown was afterwards reserved, and therefore there was nothing which the Crown could grant; consequently the Crown Grant is void.

Buchanan.—Is there anything to show that the right had passed away?

Mr. Allan—This is being considered upon general demurrer. If there is a demurrer to the plea, they have a right to investigate the declaration and see whether it is good or not; but the declaration must be considered as if it had been generally demurred to, and all the facts in the declaration must be considered to be true. I say that the facts are these, that the Crown Grant which was issued never reserved these reserves at all. Secondly, that trusts were created for the benefit of the Natives, and therefore, on the face of this declaration, it shows that the Governor must have been mistaken in his grant, and that in fact he had nothing to give away at the time. I contend further that the declaration clearly shows that the Governor had power to make the reserves, and that those reserves had been fully made. Also, by the mode they have taken in piecing the grant is shown to be void, and must therefore be cancelled. Whether the Governor was mistaken or not, I say, in the principles they have laid down, that if land has been granted away to one person, that land can never be granted away to another and on the same tenor, therefore, one party cannot now be allowed to plead that the Governor had power to make these reserves, or that they were not made. There is a vast difference between demurring and pleading. When they demur, they do not admit all the facts on the record, but they give a large license to the persons upholding the declaration. Every demurrer involves this, that supposing the facts in the declaration to be true, they do not show a valid case in law. But this is our demurrer to the plea, and we say that this helps our declaration moreover. They have chosen to plead over, and therefore allow a certain license in pleading, which could
not the case if they had deserved. We must take it, therefore, that they admit that the reserve has been made. It is possible that they may contend that there was no power to make the reserve; but if they say that and call upon us to show that the Governor had power to make the reserve, then I say that is a matter of law, and as such cannot be pleaded.

Mr. ALLEN.—It would have been as well if you had said that by virtue of an Act the Governor was empowered to do so.

Mr. ALLEN.—The Court must take cognizance of all public Statutes and all Royal Instructions that are issued under them, and therefore it is not essential to state them in the declaration; but if we recite those statutes, that is sufficient to support the declaration. I shall content, and content with confidence, that upon the various Acts which have been passed by the Imperial Legislature and by the Colonial Legislature of New Zealand, and by the power conferred upon the Governor in regard to dealing with those lands, the Governor had clearly power to make those reserves.

The first Act I have bearing upon the subject is 3 and 4 Vict. c. 02, which is entitled “An Act to continue until the 31st December, 1841, and to the end of the then next Session of Parliament, and to extend the provisions of an Act to provide for the Administration of Justice in New South Wales and Van Diemen’s Land, and for the more effectual Government thereof, and for other purposes relating thereto.”

The second and third sections of that Act give power to the Queen to create a new Colony, and also to direct by her Royal Instructions what things are to be done. The Queen, in pursuance of that Act, and in pursuance of the powers vested in her, issues a charter which is designated “A Charter for erecting the Colony of New Zealand, and for creating and establishing a Legislative Council and Executive Council, and for granting certain Powers and Authorities to the Governor for the time being of the said Colony.” That seems to be the commencement of the separate existence of the Colony of New Zealand, and the creation of a Governor vested with powers under the Act. That charter was dated the 19th December 1840. The 14th section of the Act states that the Governor shall understand that I do not rely upon the Charter of 1840 or that of 1844, but am now endeavouring to give a slight historical account of the various events, leading up to the precise one with which we have more particularly to deal. As we go on there is always a reservation in each new Act, providing that the instructions shall not be repugnant to those previous Acts which are not repeated. The Charter of 1840 establishes New Zealand into a Colony, then it creates a Council, then in a subsequent part it goes on to say, “And we do hereby give and grant to the Governor of our said Colony of New Zealand for the time being, full power and authority in our name and on our behalf, but subject nevertheless to such provisions as may be in that respect contained in any Instructions which may be from time to time addressed to him by us for that purpose, to make and execute in our name, on our behalf, under the Public Seal of our said Colony, grants of waste land to us belonging within the same, to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public use of our subjects there resident, or any of them.” Provided always, that nothing in those our letters patent contained shall affect, or be construed to affect, the rights of any aboriginal natives of the said Colony of New Zealand to the actual occupation or enjoyment in their own persons, or in the persons of their descendants, of any land in the said Colony now actually occupied or enjoyed by such Natives.” That seems to be the first power given to the Governor, and it is a most ample power, and one which has been constantly claimed against the New Zealand Company. The Queen says—“We have rights in the waste lands of our Colony, and we confer the power to alienate these lands, in the way in which we have instructed him, upon the Governor of our Colony for the time being.” I do not know that I need refer to anything further in that charter. The next Act that I find is 9 and 10 Vict. c. 102, which is entitled “An Act to make further provision for the Government of the New Zealand Islands,” and received the royal assent on the 25th August, 1846. It repealed the previous Acts and Letters Patent so far as repugnant to the new Act. By section 14, certain powers vested in Her Majesty may be delegated to the Governors of the New Zealand Islands, under that Act a charter was issued, bearing date 30th November, 1846, and paragraph of 14th section of that charter says, “And we hereby give and grant to the respective Governors of the said Province respectively full power and authority to make and execute in our name and on our behalf, under the Public Seal of the said respective Provinces, grants of waste land to us belonging within the same, either to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public use of our subjects there resident or any of them.” That seems to contain very much the same powers which were given by the earlier charter. Then follow the Royal Instructions of 1846.

Mr. TRAVERS.—I object to the Royal Instructions being cited. I do not object to the charter being added, because it is to be treated as part of the Act, but the Instructions which are issued under the charter cannot be used.

ROBINSON.—But they are referred to in the Act.

Mr. TRAVERS.—Do your Honors hold that you take judicial cognizance of those Instructions?

Jennett.—You can argue against it by and by; but I do not think the Court is prepared to say we shall stop Mr. Allen on the ground that we cannot take judicial cognizance of the Instructions.

Mr. ALLEN.—Your Honors will bear in mind that the Act allows the Queen to issue Instructions, and she may execute her authority by Instructions.

ROBINSON.—The general principle is, that any Instructions as to increasing the power are to be taken as part of the Statute.

Mr. TRAVERS.—My object was to ascertain whether Instructions could be quoted, because an objection might be raised against me afterwards if I quoted Instructions of a similar character.

Jennett.—I understand that whenever a Proclamation has been issued in execution of a statutory authority, judicial notice is to be taken of it just as if it was a direct legislative provision.

Jennett.—Of course it is competent for us to hold that the Instructions are extra vires.
Mr. Allan—Chapter 13 of the Royal Instructions of 1846 treats of the settlement of the waste lands of the Crown. The 12th section of that chapter provides that damece lands are to be held by the Crown in trust for its subjects; section 10, that the said lands are to be divided by proclamation into counties; and that no land is to be considered as aliened until it shall be alienated according to proclamation. Section 15, that no part of these lands is to be alienated except by proclamation; section 16 provides that surveys shall be made previous to alienation; and section 17 gives the Governor power to reserve certain lands for certain purposes stated in that section. I do not know that I need refer to that section at present, and I merely draw attention to the earlier sections because we contend that we are not affected by them at all. The next Act is 10 and 11 Vict. c. 113, called "The New Zealand Company's Colonization Act." That Act suspends certain of the Royal Instructions as to the settlement of waste lands. In section 24 it provides that all the leases of the said New Zealand Company shall be vested in the New Zealand Company for the purposes contained in the Act. There is power afterwards for the Crown to resume those lands if it chooses; section 29 enables the New Zealand Company to relinquish their undertaking if they think fit—and all the lands, tenements, and hereditaments of the said Company in the said Colony shall thereupon revert to and become vested in Her Majesty as part of the damece lands of the Crown in New Zealand, subject nevertheless to any contracts that shall then be subsisting in regard to any of the said lands. Then there is the Act 11 Vict. c. 5, which passed on the 7th March, 1845, suspending for five years the operation of certain parts of the previous Act. We next come to the Constitution Act of 1852. That Act recites all the previous Acts and all the previous Letters Patent, and those are repealed with the usual proviso, "That all laws and ordinances made under and in pursuance of the said recited Acts, and any Charters, Letters Patent, Instructions, or Orders in Council issued in pursuance thereof, shall continue as lawful, valid, and effectual as if this Act had not been passed; so far as any such laws, ordinances, Charters, Instructions, or Orders in Council may be contrary or in opposition to the provisions of this Act." There it provides for the establishment of a Legislative Council, of Provincial Councils, for a House of Representatives, and makes ample provision for the Government of the Colony; and at length by section 79 it enacts, "Subject to the provisions herein contained, it shall be lawful for the said General Assembly to make laws for regulating the sale, letting, disposing, and occupation of the waste lands of the Crown in New Zealand, and all lands wherein the Native title shall be extinguished as hereinafter mentioned, and all such other lands as are described in an Act of the Session held in the 18th and 19th years of Her Majesty, chapter 112, to promote colonization in New Zealand, and to authorize a joint to the New Zealand Company, as domestic lands of the Crown, shall be deemed and taken to be waste lands of the Crown within the meaning of this Act." That section, therefore, repeals all former instructions, and vests all the land in New Zealand in the General Assembly, who are to have the dealing with and management of the waste lands. "Provided always that, subject to the said provisions, and until the said General Assembly shall otherwise order, it shall be lawful for Her Majesty, her Principal Secretaries of State, or any of her Majesty's Dominions or Territories, to be made under the signet and sign manual." The Act alters the mode of dealing with the land, and in its true meaning, it is the Legislature which does not choose to interfere, then the Queen shall still exercise her right, and has ample power to deal with the land as she likes. The words are as full and explicit as they possibly can be. Again by section 79 it is provided, "It shall be lawful for Her Majesty, by any such Letters Patent aforesaid, or Instructions under Her Majesty's signet or sign manual, or signed through one of Her Majesty's Principal Secretaries of State, to delegate to the Governor any of the powers hereinafore reserved to Her Majesty respecting the removal of Superintendents, and the regulation of the sale, letting, disposing, and occupation of waste lands," etc. This clause contains much more ample provisions than the earlier Acts or Charters, for here the instructions may be conveyed through one of the Principal Secretaries of State.

Mr. Trayler.—There is another section, 74, which possibly it may be desirable to take notice of, although it does not refer directly to your subject. It provides for the payment to the New Zealand Company, till their debt is discharged, of one-fourth of the sum realized, for the alienation of waste lands, except by way of license for occupation for pastoral purposes, and for certain reserves which are specified.

Mr. Allan.—That clearly shows that the Act recognizes the power to make these alienations, and also that land may be reserved for the use of the Natives. There are other sections applying to the New Zealand Company and to the Canterbury Association, but I do not think it is necessary that I should refer to these now. There we have the great Act which is now governing New Zealand, passed by the Imperial Legislature, who say by it,—We are determined to take these lands and vest them in the Colonial Legislature, who shall deal with them as they think fit (and we know that the Legislature has dealt with them and made rules as to how they shall be granted or alienated for money considerations); but if the Colonial Legislature think it better for the Sovereign to deal with these lands, and to exercise the vast unlimited power conferred upon her by the Imperial Legislature, then the Queen can do so, and exercise her powers by communication with the Governor, through the Secretary of State for the time being. In the year 1852 Her Majesty's Principal Secretary of State for the Colonies was Sir John Pakington, who in a Despatch to Sir George Grey of the 21st July, 1852—

Mr. Trayler.—I submit that Despatch cannot be gone into.

Mr. Allan.—Is it worth while insisting on quoting this Despatch? It is quite clear that Sir George Grey had delegated to him, under section 79 of the Constitution Act, Her Majesty's powers. That was a subject of discussion in the Legislature in 1854, and those powers were impeached.

Mr. Trayler.—They were objected to on the ground that the Instructions had not been promulgated.

Mr. Allan.—I must submit, and press upon the Court, that section 79, in addition to Letters Patent or Instructions under the signet or sign manual, also says, "or signified through one of Her Majesty's Principal Secretaries of State," and therefore that Instructions so communicated must be taken notice of.

Mr. Trayler.—We dispute the Despatch; we know there was a delegation under the sign manual, and that the Despatch accompanied it, but that the Despatch forms no part of it.
RICHMOND, J.—I believe these instructions were kept back for some time and then produced, when it turned out that they had all along existed in an authentic shape. What paragraph of Sir John Pakington's Despatches do you rely upon, Mr. Allan?

Mr. Allan.—It is the 23rd paragraph, which says, "The remaining exceptions to the general transfer of the control over the waste lands consist in the provisions thought necessary to maintain the Canterbury settlement, and to empower Her Majesty's Government to maintain that of Otago, if it should find the Crown bound by existing engagements to do so, or shall deem it expedient to renew the powers of the Associate or other terms. For the present, therefore, the affairs of these settlements and the distribution of their funds remain as herebefore, and I will only acquaint you with any decision as to what the Crown will really do in the circumstances. If you can show presently that the Crown took the whole of the powers of the Canterbury and Otago Associate upon themselves. The 23rd paragraph of the Despatches says, "It has further been thought essential to preserve to the Crown by section 71, with power of delegating it to your self, the authority which you already possess of imprisoning out districts in which the customs and usages of the Natives may be pressed, and, and exemplifying them as it were from the common law of the settled portions of New Zealand. This is a power not to be assented without strong ground, and, which, it is rather to be hoped, you may not find it necessary at present to exercise, but under the power reserved by section 71, I have to inform you that the authority given to the Crown in that behalf, as well as for the formation of municipal corporations by section 79, is for the present delegated by Her Majesty to yourself."

Ancket, C.J.—How can the people of New Zealand be supposed to know that as part of the law?

Mr. Allan.—How can it be otherwise?

Ancket, C.J.—"I am to inform you" is nearly "I tell you," and that is not a statutory instruction.

Mr. Allan.—I shall certainly press that I am entitled to refer to the instructions conveyed by Sir J. Pakington.

Richmond, J.—How can it matter to you? If you are bent upon establishing the validity of the Regulations of the 4th March, 1858, you will see they are validated by "The Waste Lands Act, 1855," and "The Waste Lands Act, 1856," therefore it seems not to inquire whether they were valid as proclaimed.

Jenner, J.—Although these Regulations of 1853 do not seem to apply to aboriginal natives, yet the recital of "The Waste Lands Act, 1854," which validates them, respects the statutory power to delegate and the effect of delegation. The recital of an Act of Parliament is of course not conclusive on the subject, but it is prima facie evidence of the delegation of the powers.

Brickwood, J.—This Act does more; it declares that these regulations are valid.

Ancket, C.J.—But how does that Act affect the present case?

Mr. Allan.—My contention will be that full power is shown to have been given to the Governor to make reserves. Do your Honors think that I cannot refer to the Despatches?

Jenner, J.—It is perfectly unnecessary. We have it that powers were delegated to the Governor; of course, I suppose you will next go on to show that these powers were properly used.

Mr. Allan.—Presently. There is another Act to which I wish to refer the Court, "The Public Reserves Act, 1854," which gives power to the Governor to grant in Superintendency Her Majesty's interest in derelict lands, "except such of the said lands as shall have been, and now are, or may hereafter be reserved for purposes of military defence, the service of any officer or department of the General Government, or for the benefit of the Native inhabitants of the said Colony." That Act in both prospective and retrospective in its action, and I contend that so our declaration shows that the reservation was made, the power has gone from the Governor to deal with the land. Of course we must take the declaration of the Legislature from the language of the Statute, and we see that the intention was to give the Governor considerable power of dealing with all lands which might be devoted to certain purposes; but any land which is designated for military purposes, for certain public purposes, and for the benefit of the Native inhabitants, cannot be interfered with. The next Act to which I shall refer your Honors is "The Waste Lands Act, 1855," section 11 of which says—"And whereas it is proper and expedient that power should be given to the Governor to fulfill engagements herebefore made on behalf of Her Majesty, and also to make reserves for certain public purposes within the Colony: So it therefore enacted that it shall be lawful for the Governor at any time to fulfill and perform any covenants, promises, or engagement herebefore made by or on behalf of Her Majesty, and whereas there is evidence in writing, with respect to any allotment or parcel of land within the Colony, and any Crown Grant made in pursuance of any such contract, promise, or engagement shall be valid."

Richmond, J.—Section 12 says that reserves may be made, but it does not say for the Natives.

No doubt the Legislature in later years thought that the Natives would take care to make reservations for themselves, and you not only do think that that was the reason for considering that there was no necessity for making reservations for the Natives: I don't see that this Act bears upon the argument, if it does not bear against you.

Ancket, C.J.—Do I understand you as quoting that Act to show that the Governor should keep his contract or engagement with a Native tribe.

Mr. Allan.—I refer to it, not as bearing very strongly on the case, but as confirming the statement and the Governor's intention to fulfill any engagement entered into on behalf of the Crown. This land was reserved in 1856, before the passing of that Act, whereas it was granted to the Superintendent some time after the passing of the Act.

Jenner, J.—In "The New Zealand Native Reserves Act, 1855," you will find pretty clearly what Native Reserves mean: "Whereas in various parts of New Zealand lands have been and may hereafter be reserved and set apart for the benefit of the aboriginal inhabitants thereof." From that it appears that "reservation" means a "setting apart for the benefit of" and you cannot be held to think that there are such things as Native Reserves in New Zealand recognized by law. There are two classes, one over which the Native title has never been extinguished (made by the Native himself in fact); and the other reserves out of blocks of land
over which the Native title has been extinguished, which reserves are held by the Queen or some other trustees, in trust for the Natives under the English law. I do not suppose that will be disputed by the other party.

Mr. TMPLES—We recognize those two classes of reserves. The latter class is part of a contract where the New Zealand Company bought part of a block, and made the reserve so part of the block.

Bromson, J.—It is called a reserve, but it is a different thing from that reservation which the Natives themselves make.

Mr. FORKES.—The distinction seems to be that those which are reserved by the Natives themselves are those which are not mortally parted with; whereas those which were reserved, under the powers given to the Governor, from general sales, require some act of selection and a specification of the particular purpose for which they are not parted.

Mr. ALLAN.—I think I have gone through all the Acts that seem to refer to this mode of dealing with land; and I now contend that, supposing we are called upon, upon the state of the record, to show the authority by which the Governor made these reserves, I have shown such the latter Instructions, under which it is supposed that these reserves were made, do not apply; but if I should be driven to fall back upon them, I shall contend that, even against a reserve made under those Instructions, this grant would not prevail. I say, however, that the powers conferred upon the Governor, and which powers he exercised, were those derived from section 79 of the Constitution Act.

Bromson, J.—But section 79 only enables Her Majesty to delegate her powers under the Act, and those powers, for the present purposes, are to be found in section 72. Looking at that, it will be found that it is to make regulations respecting the sale, letting, disposal, and occupation of the waste lands. It is not to dispose of them, but to regulate the disposal of them. Do you contend that under the delegation of Her Majesty's powers the Governor could do as he liked with the waste lands?

Mr. ALLAN.—If your Honor looks at the earlier part of the Instructions, you will note that the General Assembly had power to dispose of the waste lands, and that all the power which the General Assembly has to dispose of the lands of the Crown is derived from this Act, and I do not suppose it has ever been doubted that, under that clause, the General Assembly had full power to sell, or let, or do anything they liked with those lands. Then follows the provision that until the General Assembly shall otherwise enact, the Queen is to regulate the sale, &c. That word "regulate" moves the Governor. I contend how the lands shall be disposition.

Bromson, J.—I could understand your argument if you could show that under the Regulations of 1833 the Governor reserved to himself the power of making reserves, and then that he did make this particular disposition of the public lands. But I cannot see that you can contend that the power to regulate is the power to dispose. The two things are quite distinct in my mind at present.

Mr. ALLAN.—In my view of the matter, the regulations give ample power to dispose. It means that the Governor may pass to what he wants to do with the lands, and it does not say whether by writing or by word of mouth. That gives ample power to him, or to the Queen, or to the General Assembly, as they may think, to dispose of the land. The very act of their disposition of the land regulates it. The Governor, or the Legislature, may make ample provisions in writing, and publish them, as to what they shall do with the land; or the Governor, having the power to regulate, might, if anybody came to him, say by word of mouth, "I will give you the land for so much." The very fact of his saying "I will sell the land to you," or anything in that particular way, is regulating the disposition of it.

Jenkinson, J.—Surely it is a different power to regulate the sale of lands from the power to dispose of them without a check against gratuitous disposition, which was contended for before the passing of the Constitution Act? The regulation of those lands, surely, is not that they are to be given to the Natives for nothing? That is not regulation.

Mr. ALLAN.—Surely, if you will allow that both the Constitution Act passed any power survived from the Instructions of 1846 or 1845 to dispose of the lands in this way, your argument would be strongest; but clause 17 of chapter 13 of the Royal Instructions of 1846 does not seem to contemplate Native Reserves.

Thomas, J.—It is to be noticed that after the Constitution Act passed, the Public Reserves Act, in which the Governor was empowered to give lands to Superintendents, acknowledges the existence of Native Reserves.

Robertson, J.—They might have been made under the Australian Land Sales Act, or by the New Zealand Company. The Australian Land Sales Act enabled reserves to be made, and that Act was in force in New Zealand for a time; and besides that, there were reserves made by the New Zealand Company, so that there is enough to satisfy the term "reserved."

Mr. ALLAN.—We may fall back upon the Instructions of 1846, or even earlier, for authority to make reserves, so long as those instructions are not repugnant to the Constitution Act; and I contend that those reserves might have been made under the 7th section of the 14th chapter of the Instructions of 1846. There a very large power of making reserves is given, and amongst others we have "as places fit to be reserved as grays, landing-places, or otherwise."

Arbry, C.J.—It is rather suggested by the wording of the section that the landing-places there mentioned are not landing-places for a particular use or class of people, but for all persons within a certain district.

Mr. ALLAN.—I say that these landing-places would be for the enjoyment of persons going there, and who, living in the Province, would be inhabitants of it.

Wikan, J.—Yes; but the first letter of Mr. Dunnett says, "certain Natives who are in the habit of visiting the towns of Dunedin and Port Chalmers." How can you say they were a large portion of the inhabitants of the Province? Under which head of the 17th section do you say that those reserves would come supposing they were made for the purposes stated in that letter?

Richardson, J.—The whole of the inhabitants had an interest in providing accommodation for the aboriginal inhabitants, and the interest of the whole of the inhabitants may be involved in that. I suggest that as possibly an argument for you to use. The question of making provision for the access of the original owners of the country to the place which they had so long occupied may be one of great public importance.
JOHNSTON.—It is certainly for the interest of the public generally that such reserves as these should be made at towns.

Mr. ALLEN.—I should contend on that ground, certainly, that these reserves would come within the meaning of the 17th section. The Governor has clearly under that section power to make reserves for public purposes, and I should contend that the power then conferred upon him would be properly exercised if exercised strictly in reference to these letters. Persons coming to the Province would really be inhabitants of the place. It does not matter how long they might be there; and it does not matter, under the construction to be put upon that section, whether you show what number they were, or whether they were actually permanent inhabitants of the place or not. I submit that they should be treated as inhabitants while they are there. It has not been stated by the pleading that the houses here mentioned were not for the public utility. Therefore we must assume that they were, and that under the section the reserve could be made. I should also refer to "The Public Reserves Act, 1854," which recognizes the fact that reserves had been made, and were thereafter to be made.

JOHNSTON.—You say that within the meaning of the 17th section the reserves had been made, and therefore the subsequent grant is in operation.

Mr. ALLEN.—I contend that if the Governor has made these reserves, and it appears on the face of the declaration that he did make them, they cannot afterwards, in any way, be altered by any other disposition of them.

WARD.—Do you seriously contend that the Act recognizes every reserve, whether legal or illegal, made before it was passed?

Mr. ALLEN.—All that it is necessary for me to contend is, that the fact of "The Public Reserves Act, 1854," and "The Native Reserves Act, 1866," recognizing the existence of reserves, is proof justiciable of these reserves were legally made. It is admitted on the record that these reserves were made, and the other side cannot raise as a ground of demurrer that the reserves have not been made, or were not made legally. They say, "You have not shown that the Governor has power to make reserves;" but I contend that if it is recognized by the Act, and I have shown to the satisfaction of the Court that reservations could be made, that is enough for my purpose, and it is not essential that I should go on subsequently to show how those reserves should be made. If it was their intention to dispute our suggestion that the reserves were duly made, they should have taken objection to it on the declaration. I say that the power of the Governor is to be found in the general law of the Colony, and therefore need not be stated in the declaration.

ARMSY, C.J.—I suppose your argument is, that under the public law of the Colony the Governor had power to make the reserves, and that being so, it is not necessary for you now to show the modus operandi.

Mr. ALLEN.—Of course I reserve to myself the right to contend that it is not necessary to go into the specific law of the Colony upon the subject, and that upon this declaration we are not obliged to show how the reserves were made.

RICHMOND.—Your contention is that the Court should take judicial notice of the power of the Governor to make reserves, if your construction of the 17th section of Chapter 13 of the Royal Instructions, 1866, is correct, and if those Instructions were the law of the land in 1866.

Mr. ALLEN.—I contend, as I have already stated, that upon this demurrer they have no right to dispute it, because if they intended to dispute it they should have raised the objection on the declaration.

RICHMOND.—The fifth ground of objection is rather arguable; but it says that the declaration does not show that any valid trust for Native purposes was ever created in respect of the lands granted to the defendant. If it had stopped there it would have been wide enough to contend, first, that the Governor had no power, and, secondly, that if he had power, he did not properly exercise it; but it goes on to state that the Governor had not even made power to make reserves. I understand your argument to be that the Governor did not make reserves, and, therefore, that the demurrer is good; but it does not show the existence; he could not say "The power is not well exercised," but, "It does not exist. I would, however, call your attention to the seventh ground of objection, which goes more to the exercise of the power, and says that ron cannot the reservation was not temporary; that paragraph acknowledges, as it were, the power of the Governor, but says that it was not exercised the way you contend.

Mr. ALLEN.—But I say that supposing even they could raise such a ground of objection, it is not necessary that we should go on and show whether the reserve was for a temporary or permanent purpose. It is sufficient for us to allege that the reserves were duly made.

RICHMOND.—The reserves might have been for purposes which expired before the date of the grant, so that granting the land to the Superintendent of Otago would not be in derogation of any prior right created by the Crown, and therefore not repugnable.

ARMSY, C.J.—The eight objection points out how the trust, if it had existed, may have expired, and that the Crown might be no more of the man for whom it would be used. However, the presumption being that human life continues for half a century, we must presume that this tribe is not extinct.

Mr. ALLEN.—Before going to a further stage, I would like to recite for a short time to the Constitution Act. The Court will observe that section 72 gives power to the General Assembly to regulate the sale of waste lands, and section 73 refers directly to the alienation of waste lands, amongst the exceptions to that clause being lands reserved for the use or benefit of the aboriginal inhabitants. Now, I contend that, supposing even the power was not given under the earlier Instructions, it is clearly given under the Laws of the Land. If that does not interfere, then the Crown has no complaining right to deal with the land as it thinks fit. Indeed, the General Assembly has acted throughout upon the view of the case that the power of regulating and dealing with the lands enables them to alienate or do as they like with it. All the subsequent powers given to Superintendents and others are derived from that interpretation; therefore I contend that under these two sections there was ample power given to the Queen or her Representative here, not only to sell or lot the land, but to reserve it for the use of the Native. The Crown has no complaining right if it has not been touched. If then, the power has really been used, it would be valid under those two sections. I would also refer the Court to "The Native Lands Act, 1867," section 11, which says that the expression "Native Reserve" shall mean any land which falls...
within the following descriptions: and then subsection 5 says—"Lands appropriated by the Governor for the use or benefit of any aboriginal natives." So that we have ample power under the earlier instructions, ample power under the Constitution Act, and further, various Acts recognizing as reserves lands appropriated by the Governor, and also recognizing his right to admonish such occupants of the trust. Now, therefore, it is the duty of the Crown to appoint Commissioners to manage these lands and do things for the benefit of the Natives. I say then, there is ample statutory authority before the Court recognizes the power to make these reserves. There is also a suggestion on the record that the lands are affected with a trust in the lands of the Queen. Therefore the Queen is admitted by the defendant to be a trustee of lands for the benefit of the Natives, and being a trustee, it is clear that if there is a person that is a trustee and accepts the trust, and there is a declaration of the trust, that cannot be removed from the trustees. It is the duty of the Crown to perform that act, if it was done. Then, there is another point, and I say it is a most important point in the consideration of this case, that here we must consider the state of the pleading. The Crown has declared and the defendants have pleaded over, and not in the way of traverse, what would have been formerly called, before the Common Law Procedure Act, a plea in confession and avoidance—that is a plea in answer to our pleading. Take, then, the record as it stands. Now, supposing we had not chosen to deny to those declarations, but had joined issue upon them and had gone down to trial, if it was a good plea in confession and avoidance, then the defendants must have begun, and unless they had proved their declaration, everything on our record must have been taken as true, and a verdict would have passed for us.

JONSON, J.—There you shift your ground, and say it is not an arguable traverse?

Mr. ALLAN.—I merely say supposing it is a good plea. If it is a plea in confession and avoidance, all matter, but the non-acceptance of a trust and supplying there was any defective pleading, then the defects in the pleading would be cured. Further, that this is a demurrer by us to their pleading, and if they take any objection at all it must be on general demurrer. There are a great many authorities for this, and I will refer you to Honors first of all to Chitty on Pleadings, vol. i. 671.

JONSON, J.—If you go to the next paragraph, you will find all this applies to defective allegations in the pleadings, and not to supplying an omission.

Mr. ALLAN.—I say it does cure this, but if there were other things, I say, which we ought to have, or in order to show how the reserves were made, then, if it were necessary to insert these and they pleaded over, I say that is one declaration. The plea itself admits that a reservation was made, for they go on to state something to show why it ought not to have been made. We contend that we have a good title, and the plea admits it. The plea does not deny that the reserves were made, but goes on to show why they should not have been made.

JONSON, J.—A defective description of title might be cured by their admission that there was such a reservation, but I am not sure it would not make a defective title good. I thought your contention was really that the state of the title of reservation was good.

Mr. ALLAN.—Of course I contend that it is so, but say, supposing it shall be held not to be so, then it is cured by the course they have taken in pleading. The Court cannot admit any evidence to show that something was omitted, because they ought to have traversed that the reserves were properly made. We say we have made a good title here; but if they wish to show anything that we have stated in addition, they cannot do it, because they ought to have traversed the declaration and not pleaded over. Therefore the Court will assume that the reserves were made, and all the formalities necessary to do so were complied with. I would call the attention of the Court to the King v. Mayor of York &c., 1 T. Term Rep., 66; and Clark v. King, 8 Barnwell and East. I contend, upon the authority of these cases, that the declaration is perfectly good, and that we have brought ourselves within the rules which I have laid down, because we have shown that an estate was created and is still in existence, and therefore the ground of objection is a ground of objection in any ordinary way you can state as true. We state as true that the Crown except by petition, but in this case the Crown created its own trust. It set the lands apart, and whether they are affected by the ordinary doctrine of trusts or not, it is inconsistent with and derogatory to the Crown that it should afterwards make a grant inconsistent with that trust. In whatever way these lands were originally set apart is rendered comparatively unimportant by what took place subsequently.

JONSON, J.—You may say this, but whether it is an ordinary question of trust or not, the Crown has imposed upon it a duty (I may be to some extent imperfect in respect to the remedy, but a duty recognized by the Acts and incumbent on the Crown to do what is necessary in the interest of the Natives), and it is inconsistent with that duty for the Crown afterwards to grant the land to other persons.

Mr. ALLAN.—That is really my argument, and it is really of little importance how the trust was created originally. It is a different thing from obtaining the land from the person. The Queen herself holds the land in trust, and if the duties are imposed upon her, she cannot be deprived of the land, and it would not be allowed for her to say, "I have got this property and a right to give it to somebody else." The Crown has chosen to take that property and use it in a particular way, and it is bound by all the doctrines of trust to do its duty towards the person for whom it is trustee. I do not think I can put it stronger than this: There is a right in the Crown recognized to set apart these lands for these purposes (it is admitted on the declaration that this right exists), that the Crown occupied lands that were not the Crown's land, and it imposed upon the Crown of necessity to carry that out. The mere fact of giving away a certain estate in land would not be so strong as that by any means. Even if all the necessary formalities were not complied with (and there is nothing shown in the Acts of the Legislature as to what is absolutely necessary to be done), I contend that the mere fact of setting the lands apart is sufficient. If any subsequent acts are required on the part of the Crown to make that reservation perfect, the Crown, having taken the duty upon itself to bound to carry it out, could make that right good, it must be assumed that it was made in mistake. We say the plea is bad on several grounds. It alleges that the land was sold to the New Zealand Company by the Natives, and that afterwards some arrangements were entered between
the Company and certain persons calling themselves the Otago Association, by which certain reserves were made; certain lands were withdrawn from sale, which subsequently the Otago Government occupied as sites for public buildings. The object of this setting apart of certain land is said to have been to enhance the value of the adjacent property of the Association; but I contend that there is nothing on the face of the plea amounting to a contract with the New Zealand Company. There is enough to show these had, but not enough to make this agreement binding on any persons subsequently taking the land. It is necessary to show that there was such a contract as the Court could give effect to, and there is nothing in the plea amounting to that. It amounts merely to this, that there was an agreement between the New Zealand Company and certain persons coming to New Zealand and setting in Dunedin, that certain lands should be used for the sites of public buildings, but that does not show that the Governor was bound to complete the matter. The New Zealand Company would have been carrying out their agreement if they had given any land there.

JENKINSS.—If the plea shows that before the time of reservation these lands were vested in the New Zealand Company, and if that Company had power to deal with them pleasantly, how can the Crown deal with them afterwards?

Mr. ALEX. — I say that the plea does not show that at all. It merely says that there was some agreement that some land should be set apart for public purposes; I say the land was not parted with to the Otago Association; and the further point that the argument can be carried is this, that the New Zealand Company did not part with the land, but when they were selling land to certain persons (or offering land for sale, for I believe it was not purchased), they said they would withdraw certain lands for the purpose of making wharves and quays. There is nothing on the plea to show that the New Zealand Company parted with the land, and in fact they did not.

RICKWOOD. — Your general contention about the plea is inadmissible enough; you say the plea introduces new facts not found in the declaration. But it is bad as an affirmation plea here; the use of these new facts involves the denial of material facts stated in the declaration.

JENKINSS.—It is a statement of facts not inconsistent with the facts stated in the declaration, but the conclusion of law drawn from these facts is a wrong one.

Mr. ALEX. — We say that it admits the reservation.

RICKWOOD. — It does not appear on the face of the plea how the Company had a right to deal with the land at all. The deed of auction gives them no right to deal with the land, and there never was a right to make a deed of pias, as far as I see. I am aware that the New Zealand Company had liberty to deal with the Natives, but that would not give them the sea-shop of the land.

Mr. ALEX. — No, and at the time they allege they withdrew those lands, they had no right to do so.

RICKWOOD. — Then again there is another matter which probably we may have to go into. Supposing it is shown that the New Zealand Company could syllabus of the Otago Association. Suppose we begin the paragraph from the Association for the reservation of these Prince's Street Reserves, that would become binding on the Crown under the cession of the rights of the Company in 1850. That would be against you, and is evidently the contention of the other side. You have contended that there is no such engagement as would bind the Crown to have the Prince's Street Reserve open as water frontage; but you have to go farther and show that after July 1850, when the New Zealand Company Charter ceased, the Crown took the unappropriated lands, with liberty to deal with them under the Instructions of 1844. That is not by any means clear. Would it not be subject to the terms of purchase under the Constitution Act, which are recognised as affecting the denominated lands of the Crown? It is too much to assume that the Crown could deal with the unalienated lands in the Otago Block in the same way as with the lands in Auckland, where it is quite clear there was no engagement with the New Zealand Company. I am not at all certain that chapter 13 of the Royal Instructions, 1846, would apply to the Otago Block.

JENKINSS. — Are we not right in saying that the agreement between the New Zealand Company and the Otago Association took place between the passing of 18 and 11. Vict. c. 112, and the year 1850, when by virtue of the cession, the Governor, vice president of the New Zealand Company's title and estate subject to their contracts, and that this was a contract which passed to the Crown by virtue of their taking possession of the Company's estate?

Mr. ALEX. — I do not admit that it was a contract, and I still contend that what they did at that time they had no right to do.

RICKWOOD. — Upon the surrender of the Company's Charter, express provision upon this head was made by Additional Instructions, which controlled the Instructions of 1846. It seems necessary for you to show that, consistently with the engagement entered into by the New Zealand Company with the Otago Association, this reserve might be made. It is not enough to show that it might be made under chapter 13 of the Royal Instructions, 1846, but also that it was consistent with the engagement with the Otago Association to make it, if this engagement derived upon the Crown.

Mr. ALEX. — I contend that in the inception this is not a contract. Supposing it amounts to anything having the ordinary meaning of a contract, the terms of it are not such as a party to it could have compelled the New Zealand Company to carry out. What does it amount to? Nothing more than this: 'A certain reserve of lands should be set apart for public purposes.' It is inconsistent with this, if it constitute an agreement that other lands should be given them. Supposing the Otago Association, or the persons who have bought those lands, could have called upon the New Zealand Company to give them a piece of land for the purpose of making a wharf or quay, it would not be absolutely essential, and they could not compel the New Zealand Company to give them this particular piece. That comes clearly within the doctrine of specific performance; that is, you cannot compel a party to perform a contract; he may be willing to do it, and there is no agreement here between persons now resident in Dunedin, who, by virtue of it, could call upon the Crown or the Otago Association to give them the land, if it was wanted for public purposes. The term "contract," which is used throughout in these
Acts of Parliament, does not relate to the mere setting apart of land, which the Crown has the power to do under all the Acts; but it means a contract with persons coming here as to the title of land. That is really a contract; and it is a minim that says that this was a contract because the New Zealand Company, in laying out their town, would have needed a certain portion of land; but that would not prevent the Crown from using this land as it chose.

RICHMOND, J.—Do you mean to say that the Crown could have established a High Church Settlement on the Princes Street Reserve? The question is a serious one, because it points to this, that the whole settlement is affected by the terms of purchase; that is what will be argued on the other side, and those terms will be used against you. No one conversant with the land laws of New Zealand will suppose that the lands in Otago and Canterbury have the same as Crown lands in other parts of the Colony, even after they fall into the hands of the Crown, because they were subject to the contract with the settler. The General Assembly has by section 73 of the Constitution Act prohibited the Crown from doing anything inconsistent with the contract of the Otago Association. It is within my recollection that there have been remonstrances against the Crown offending to deal with lands within the Canterbury Block.

Mr. ALAN.—But there a contract would exist, because the land was held out to be sold at a particular price. It is a matter well known that the Crown has taken possession of lands within the Otago and Canterbury Blocks. The rights of those two Associations were not permanent, but were only to last for a time.

RICHMOND, J.—They were in existence when this reserve was made.

Mr. ALAN.—Not in 1856.

RICHMOND, J.—I do not insist on the exact date of the cessation of the Otago Association, but the Canterbury Association lasted for some time afterwards. The contracts were however in existence.

RICHMOND, J.—Much more that that—inclosing the whole scheme of education and religion.

Mr. ALAN.—I say that this term "contract" refers to contracts for the sale of the land, and it would be preposterous to say that the Crown could not what deal with the land which has not been sold under the "Public Reserve Act, 1854," goes against that, for it says that all the lands which may have been granted for public purposes may be granted in a certain way to Superintendents of Provinces and others. On the 23rd November, 1853, the Otago Association ceased to have anything to do with the land. They never had a charter, and the Government would not give their one, because they did not comply with certain conditions; the Association had agreed to sell a certain quantity of land within a certain time, and they were unable to do so, and the Crown and "You have forfeited your rights, and we will resume the land."

RICHMOND, J.—Against that you have section 73 of the Constitution Act specially providing for the observance of contracts.

ANSMY, C.J.—The contracts specially referred to were those contracts between the New Zealand Company and the Association.

Mr. ALAN.—It also refers to the charter. If the Queen chooses she may give a charter to them, providing the contracts previously entered into. The Association were to get their charter only provided they did certain things; and failing that, the Crown resumed the land, and the right to deal with it under the 72nd section as any other land. I contend that upon the ordinary rules of law the contract set out in the plea does not show any contract binding upon the New Zealand Company or upon the Government of New Zealand. The Canterbury Association was put an end to at the same time, and directions were given that only the Crown should afterwards deal with the land. The Regulation of 1855 is by no means to be maintained that the Crown is bound by any agreement when no agreement is set out. Again, what is the character of the land with which the Company was dealt to deal? It had been a constant fight between the Crown and the Company, the Crown saying, "We have a right to the land, and you have none, although you are dealing with it." When the New Zealand Company's Colonisation Act (10 and 11 Vict. c. 112) was passed, and was the first Act which gave the Company any powers to deal with land in New Zealand. By this Act the lands of the Otago Association in the manner were vested in the Company, but subject to certain restrictions, one of which is that they shall not sell or dispose of those lands except at a fixed price. I say it is contrary to fact, and contrary to the legislation over the same point, to say that the New Zealand Company had absolute right to give away lands or to dispose of them to any purpose as they might choose. The Crown says, "We will recognize any purchases you have made, and allow you to have land, or you may sell land vested in us, but you shall not sell it except at so much an acre. If you wish to set land apart for public purposes you may, but it must be under certain restrictions, because there may be reasons which would make it injurious to the rights of the Crown if you did with them as you chose. Therefore, if you wish to devote these lands you must convey them in trust to public persons, and in a manner sanctioned by the Government." On the face of this plea it is shown that this reserve by the Company was made after the passing of that Act; and therefore, it was to be a reserve which should receive such a character as could not be altered, they should have shown that the provisions of the Act were complied with, and this they do not show. I would also impress upon the Court that the word "contract," which is so much relied on, occurs in this very Act; that if the Crown chooses, in consequence of the New Zealand Company Act wishing to go on, and not being able to carry out the Act, then the Crown may resume the land, subject to these contracts. But then you must consider the word "contract" in reference to the Act, and it can be no contract which is not recognized by the Act. If the expression had occurred for the first time in some subsequent Act of Parliament it would make some difference; but it occurs in the Act itself, and therefore these contracts are contracts subject to the conditions—"If you wish to part with the land you must not sell under 50s. an acre." It is true they were not Crown lands in the meantime, but that does not affect my argument, for they were Crown lands at the time this reserve of crown was made. Then, I say, our objections go further. True it is, if you have any case at all, your case is simply, as you say, that certain persons were called the Otago Association, or persons who came and resided there; but all that you dare allege upon your plea is, that from the time of the first settlers
coming this land was occupied by the Provincial Government for public purposes; and that is a contradiction in itself, for the early settlers came in 1848, and we know that there could not have been any Provincial Government until 1854.

BROOKS, J.—There is no such body now in fact, although the Acts begin to speak of Provincial Government. The Maori Land and Waste Land Regulations talk about a Provincial Government. I think it a great pity that such looseness of language should be used. If they mean the Superintendent and his Executive Council, they should say so.

Mr. ALLAN.—I say this allegation on the plea is untrue on the face of it. Further, they do not connect the Provincial Government in any way with the Otago Association. There is nothing to show that the fact of the land being occupied by the Provincial Government (even if we are so prove) that it was carrying out the purpose of this agreement; or does it show that the Provincial Government of Otago was the access to the Crown. It is quite consistent with the said that if the Otago Government were occupying this land they did so after it was reserved, and I believe that, so far from being on great from the Crown, the people who were occupying this land at the time were paying rent for it. That, however, is not on the record. I say that the whole of the allegations in the plea admit the existence of these reserves, and, doing so, the plea is clearly bad, because the land could not afterwards be turned aside for other purposes. Upon every rule of pleading they have admitted on the record that the reserves were duly made, and having admitted that, whether they were made under mistake or not does not matter to us. There stand our reserves, and, accordingly to the Public Reserves Act, you cannot call upon the Government afterwards to turn these reserves from the purposes for which they were set apart, and go further and say, "You admit on the face of your plea that these reserves were made; you must have known that, by the laws of New Zealand, Native Reserves having been made could not be set aside for other purposes; and therefore, in the face of the case cited, you deliberate the giving of the land, and the present plea is asking you to take away the content that the fact in the Crown Grant that the reservation was made, you have also decided the Governor.

Mr. JENKIN.—I do not propose to occupy the time of the Court at any considerable length in this matter. Nearly all of the points have been gone into by my learned Friend, and it is only to one or two points that I shall specially call your Honor's attention. And first of all, with regard to the power of the Governor under the Royal Instructions, 1848, and the subsequent legislation to make such reserves. By the Royal Instructions, 1846, the Court will see that the Governor shall not have power to alienate lands of the Crown gratuitously except in certain cases. Then come the Royal Instructions of the 7th February, 1850, which are very expressive on the point, and which, after receiving the Instructions of 1848, go on to say, "Now, therefore, we do hereby repeal that part of our Instructions which prohibits the alienation of land gratuitously, so far as respects such naval or military officers, military pensioners, or aboriginal inhabitants as aforesaid": so that at that time, so far as those Royal Instructions are concerned, that clause of the Instructions of 1848 which forbade the gratuitous alienation of the land is entirely abrogated, and power is given to the Governor to alienate lands for the benefit of the aboriginal inhabitants. Then we have the Royal Instructions of 12th August, 1850, which say, "Now, therefore, know ye that we have revoked and determined, and do by these our Instructions, under our sign-manual, and signet, revoke and determine, so much and such part only of the 13th chapter of the said Instructions as relates to the lands comprised in and affected by the aforesaid contracts between the New Zealand Company and the settlers at Wellington, Nelson, and New Plymouth, and the associations of Otago and Canterbury, and so far as the same may be inconsistent with the said contracts respectively, or any part thereof." The Court will remember that by the 10 and 11 Vict. c. 129, the 13th chapter of these Instructions had been suspended within the Province of New Zealand with respect to alienation of lands of the Crown. This being the course of legislation on the subject, we next come to the Constitution Act, which in express terms, by its first section, says, "The said Act, and all Charters, Letters Patent, Instructions, and Orders in Council issued in pursuance thereof, shall be and the same are hereby repealed, so far as the same are repugnant to or would prevent or interfere with the operation of this Act, or any Letters Patent or Instructions to be issued under authority or in pursuance of this Act," as that all previous charters, etc., are repealed, and, by section 76, power is given to the Crown to alienate and deal with the said lands. That being so, we have "the Public Reserves Act, 1846," in the wordable of which the power of the Crown to make reserves is fully recognized. Next comes "the Native Reserves Act, 1866," in which the whole question of these Native Reserves is dealt with, and power is expressly given to the Governor to deal with these reserves. The first section gives power to appoint "Commissioners of Native Reserves," and to reserve these Commissioners from time to time. The Act gives these Commissioners very great power in dealing with these reserves, but they are to act in regard to them in all respects under the Governor. This shows that the Legislature considered that the Governor had power to make these reserves, and, as a matter of fact, Proclamations under this very Act, appointing Commissioners, were published in the Gazette.

JOHNSTON, J.—It is ex parte facie.

Mr. IRZAB.—But it shows that the Governor did exercise the power of dealing with the land.

ARMS, C.J.—Do you understand what you say that this Act related to those reserves by name?

Mr. IRZAB.—No; it treats of Native Reserves generally. I find in a General Government Gazette, as late as 1868, a proclamation to deal with those particular reserves.

JOHNSON, J.—How does that affect the pleadings?

Mr. IRZAB.—If the Proclamation bears on the face of it evidence that is referable to the same thing as our depositions, I submit that I may call the attention of the Court to it.

RICHMOND, J.—The mere occupation of the Crown upon the matter is nothing. It may be evidence of an Executive Act having been complied with, but it will not help you in the least degree.

JOHNSTON, J.—It may tend to aid your allegation that the Letters Patent of 1866 were issued by mistake.
Mr. Irwin.—It is a matter which may be important to us in more ways than one. It is shown that up to so late a date as 1895 the Crown had actually dealt with this land as a Native Reserve. It is, so far as it goes, a declaration on the part of the Crown of the existence at that date of a claim to the land on the part of the Natives, consistent with the claim we have set out in our declaration. That is all I wish to refer to in that particular. Your Honors were asking, at an earlier period of the argument, for some authority on the question as to the declaration of trust and the way in which it might be made. The sort of trust we seek to set up in this case is created by the letters here set out. We do not confine ourselves to saying that the letters alone show the trust, but we say the letters, plus the allegation that the reserve was afterwards duly made, constitute in themselves a sufficient declaration of trust. But even if there had been no allegation that the reserves had afterwards been duly made, I contend that there is sufficient to show the existence of a trust. I would refer your Honors to Foster v. Hale, 5 Vesey.

Gunnery, J.—That is between party and party.

Richmond, J.—You might embody Y esse and Y esse Junior without finding anything that would bear on the granting of Native lands in New Zealand. It is sui generis.

Johnston, J.—If the Crown has adopted a trust of a Subsidiary character with regard to any lands, it cannot afterwards derogate from such trust.

Mr. Irwin.—I do not think it is possible to find an authority bearing directly on a reservation of this kind, and we are driven to argue upon the analogy of cases between subject and subject. I do not suppose my learned friends on the other side would contend that this was not a good reservation on the letters followed by the Act. Besides it is not necessary for us to show that the reservation was made in writing. There is only one other point that I wish to touch upon, and that is the last ground of our disquiet. That is aimed at this, that they set out in their plea the existence of the Otango Association; that there was an agreement that certain lands should be set apart for whatever and on whatever conditions of benefit of persons occupying land in the vicinity; but the plea does not go on to say that what has been done in this case is for the benefit of those persons, or for the benefit of the Otango Association; and we say that, consistently with their plea, this reservation on their part may be no benefit whatever to those persons, and may be even prejudicial to their rights and those of other Her Majesty's subjects. They should have gone on to show that this was a beneficial reservation to them as claiming through the Otango Association. Consistently with their plea, this grant which we seek to set aside may only be made to the Otango Association and those persons from whom they claim as we say it is to us. What they say is this, "We claim under the Otango Association," but they do not go on to say that this was such a grant as the Otango Association were entitled to. Having justified under the Otango Association, and having got their grant, I submit that, to make their grant good in this point of view, they should have gone on to allege that it was such a grant as would have satisfied the terms of the Otango Association. On the face of the grant it might be consistent with some of the terms with which the Otango Association came in conflict, without others, and I say that they should have gone distinctly on the face of the plea, that it was such a grant as would be consistent with all. On these grounds I submit that the plea is bad and our declaration good.

Mr. Travers.—I would first call your Honor's attention to rule 244, in reference to this point.

Whether any objections to this declaration are open beyond those of which notice has actually been given by the defendant, say it is open to me to suggest to the Court that there are objections in addition to those of which notice has been given. My friend has contended that inasmuch as the word "daily" appears in the declaration in regard to making this reserve, and as there is no absolute objection in terms to the declaration, on the ground that the word "daily" does not imply that anything was done which was necessary to create the reserve, we are therefore precluded from arguing that the reserve was not properly made.

Richmond, J.—His argument was, that it was open to you to contend that the Governor had not legal power to make the reserve, but it was not open to you to contend that the power had not been properly exercised.

Johnston, J.—This is in error, and the rules in error are laid down in the Court of Appeal Act. It would be well, however, for us to consider whether we are now in a position, as the Court below is in the argument of the plaintiff to a plea, that notice of objections to the declaration should be given, and whether, being an inquiry in error upon the whole record, we are not restricted to the grounds of error. It may be that under the practice in error you are in a better position than you would be in the Court below on a demurrer to the plea.

Mr. Travers.—I contend that even in a narrower position than that, the Court will look at every ground of objection that we can sustain the judgment in error upon anything that appears upon the record. I submit it would be open to us to suggest any grounds of objection not given in the notice, although we do not think it should be argued without the consent of the other side. The rule is this.—We are entitled to sustain the judgment given in the Court below upon any grounds we can advance, but the plaintiff in error is bound by his notice.

Johnston, J.—If so, it really comes to this, that the defendant in error is in a much better position than he was in the Court below. If particularly call the attention of the Court to this matter, as the Court may consider it desirable to make a rule giving the plaintiff in error as much fair play as the defendant.

Mr. Travers.—He has the right of reply.

Johnston, J.—The most important objection may not have been given notice of, and the plaintiff may be called on suddenly to reply to it.

Mr. Travers.—I assume that any objection to the declaration is now fairly open to me.

Mr. Travers.—I say that of course. I have always understood, that where error is brought the parties are confined to the matter under discussion.

Mr. Travers.—But it is the plaintiff who says there is error in this; the defendant says there is no error on the record.
AXER, C.J.—That is presumably an answer to the objections already urged. The question is whether you are, within any cases of error, to adopt a practice similar to that which is established by rule 214 in respect to demurrers.

BROOKS, J.—There is one observation which seems to settle the matter. The question before us is as to whether the Court below gave a proper judgment. Now the Court below may have given judgment against the declaration upon some ground not attacked in the defendant's notice of objections to the declaration. It would be absurd, then, for the Court here not to uphold the decision in the Court below on the ground on which its judgment was given.

Mr. Taunton.—The course I propose to take is this: I wish first to show as a matter of pleading that the word "daily" is not a sufficient allegation as to the mode in which the trust is created, and I will cite to your Honors cases in which the construction of the word "daily" has been the material subject of decision. In the first place, to show that the cases in respect of trust it is absolutely necessary that all facts that are required to the creation of the trust should be specifically set out, I will cite The Queen v. Inhabitants of Leighlands, 15 L. E., 102. There the Judges all held that the word "daily" merely implies a conclusion of law, and that it would be necessary to support that conclusion, as a matter of pleading, by a statement of the facts from which the conclusion is drawn.

JOHNSTON, J.—That applies to cases in which it could not be thrown overboard altogether, but must continue you could not throw "daily" overboard altogether here, and say that, in consequence of these Letters and Acts set forth, the land was daily reserved.

MR. Taunton.—The declaration shows some grounds for supposing that the Governor exercised the power which he had (if he had it), but I say that "daily" has no force in law. My learned friend appeared to rest a good deal upon the word, and to say that was sufficient to affirm the reservation. I submit that the provisions of an Act of Parliament be invoked for the purpose of showing the power to make the reserve, and also that the reserve was properly made. I cite the case of Jackson v. North West. It is, in order to show the Court that the allegation of the existence of a trust is a mere conclusion in law, and that it is not sufficient unless the facts that constitute the trust are stated in the declaration. I now submit that the Governor of the Colony has no power inherent in himself to do any Act whatsoever in relation to the waste lands of the Crown. He is a mere creature of the statute, and, by virtue of his position as Governor, has no power to deal with the waste lands of the Crown. His powers are to be gathered within the limits of certain documents, Royal Instructions, Charters, and Statutes, and he has no power, in pursuance of his position as Governor, to do anything in relation to these lands. The main questions are therefore, firstly, Were the lands which have been granted, and which are now the subject of discussion, at the time they are alleged to have been dealt with, under the control of the Governor, in pursuance of any Charter or Royal Instructions—were they desolate lands of the Crown within the purview of those charters or instructions? Secondly, If they were desolate lands of the Crown, was there any power to make reserves, any statutory authority to make reserves for aboriginal natives? And, thirdly, was the power properly exercised? Although it was intimated that the Statute of Frauds did not affect this question, I submit it may have an important bearing upon it, because if this be called a trust, then I shall submit that the Crown is equally bound as a subject by the Statute of Frauds. The Crown may be a trustee, and can create a trust, but it must do so under the great seal. The nature binds the Crown inasmuch as it provides that no trust shall be created unless there is legal evidence in the shape of a writing signed by the party who has the power to create the trust, and in regard to the Crown, that there must be the seal of the Crown to evidence that the trust has been created. On no doubt in Her Majesty, by sign-manual, or by her Principal Secretary of State, had directed that certain lands should be set apart for the benefit of the people or for the Native race, and they were set apart, then the Crown—the Queen herself, I should say—would have created the trust, and any grant made afterwards would be voidable. But there is a broad distinction between the Crown under the sign manual directing that to be done, and a subordinate officer, such as the Governor of a Colony, doing it. And here it is not even shown that any subsequent act was done by any duly qualified authority, to give effect to what was to be done on a mere recommendation, a power not alleged to have been acceded to by the Governor. Even assuming for a moment that the Governor was in that respect an agent of the Crown, as I propose to show he was not, no formal act whatsoever was done, and no formal act could in any way be indicated by the word "daily," that would be binding on the Crown or affect the public. One hits difficulty has arisen, as it appears to me, from this being sometimes called a trust—and if a trust, then these letters are supposed to be a declaration of trust—and sometimes a reserve. But there is a wide distinction between a trust for Native and a reserve for public utility.

CORMACK, J.—We must take it that reservation means something, and it means that this was set apart, and if so, the acceptance of a proposition or recommendation shows the purposes for which the lands were set apart. Then they say that the setting apart for those purposes amounts in principle to a trust.

MR. Taunton.—I submit that it is not so. The definition of a reserve, I shall submit, is this: Land set apart or withdrawn, by some competent authority, from the ordinary course of dealing, under the provisions of, and in conformity with, some law authorizing such setting apart or withdrawal, the purposes for which the same has been set apart or withdrawn being also declared, of course assuming that the lands were being set apart or withdrawn to be a reserve. And the authority seeking so to set them apart. Now I propose to test this reserve by that definition, and I have first to inquire—Can these lands be legally appropriated to any such purpose as that suggested by my learned friend? I do not wish to weary your Honors by going into any of the older laws relating to dealing with the lands of the Crown, but I think I shall be able shortly to call attention to the documents bearing upon this question, and then I shall endeavour to show how they will affect this question, looking that out of these deals, the great Ordinances of the Province of New South Wales and New Ulster. New South Wales was the scene of certain understandings by the New Zealand Company and other Companies, and up to the cession of the New Zealand
Company's Charter the laws of the Crown were actually surrendered altogether in that Province, and it was only after the cession of the Company's Charter in 1830, that any part of those laws could be said to be in force in that settlement. After the passing of the New Zealand Government Act, 1850, and the Imperial Act of 1852, the Company's Charter ceased to have any power whatever in New Zealand. The Company was abolished by statute vested in the New Zealand Company. By statute of the Imperial Parliament, the demesne lands of the Crown in New Munitor were vested in the New Zealand Company for certain purposes, so that the Crown had absolutely parted with them, and they were no longer in the sense of demesne lands of the Crown, the conveyance to the New Zealand Company and to the Canterbury Association being sufficient to transfer the estate. A grant was held to be necessary, but only for purposes of regulation; and during that time, the only estates with demesne lands in New Munitor was by the New Zealand Company, consistently with the trust. The Governor had no authority whatsoever over these lands except the authority which was necessary under the prerogative of the Crown for defense purposes, for the furtherance of trade and commerce, and so forth; that is to say, the Crown's right of pre-emption was waived in favor of the New Zealand Company; and if that Company had acquired any land from the Natives, they had to settle it, or settle right of fishing with that land irrespective of the Crown. In 1850, when the New Zealand Company surrendered their charter, the whole of the lands within the Province of New Munitor reverted to the Crown, subject to such contracts and engagements as the New Zealand Company had made, and amongst other contracts which they did make, and which have been referred to in subsequent statutes, was the contract with the Otago Association to set aside amongst other lands those which constituted the site of the City of Dunedin, for purposes of settlement in connection with the proceedings of the Otago Association. That is stated in the preamble to the Act. The Crown knowing this arrangement, issued to the Governor, on the 12th August, 1850, shortly after the surrender of the charter, certain Royal Instructions for the express purpose of preventing the land regulations contained in the Royal Instructions of 1848 from coming into operation within the boundaries of the land so handed over to the Canterbury Association and to the Otago Association. Your Honors will see, that immediately on the surrender of the charter, in July, 1850, the Land Regulations of 1848 would presumably have entered into force, but for the Royal Instructions, which were these further Instructions: "And whereas it is apprehended that the provisions contained in the 13th chapter of the said Instructions are in certain respects inconsistent with the said contracts between the New Zealand Company and the said respective Settlers and Associations, and it is expedient that the said Instructions should be repealed, so far as the lands comprised in or affected by the said contracts, as far as the same may be inconsistent with the said contracts respectively, or any part thereof. Therefore the Royal Instructions of 1848, so far as they were inconsistent with these contracts, were absolutely repealed, and not only were they not in force between the Crown and the Association, but the repealing Instructions go further and say they are not to be in force in regard to contracts with settlers. The matter thus continued in regard to the Otago Association until the revocation of its charter on the 20th November, 1852, and during that time these Royal Instructions of 1848 had no force there. On the 17th January, 1850, less than two months after the surrender of their charter by the Association, the Constitution Act was promulgated in New Zealand. It was only during that time that the Royal Instructions of 1848 could be operated on for the purpose of dealing with the waste lands of the Crown in Otago. Accordingly, we say that was the time when this movement was initiated, because it began on the 8th December, when in all probability the first intelligence of the surrender of the charter reached the Colony. It shows that the Commissioner had his eye upon the matter, and knew what he was doing. He was advised, no doubt, that the Otago Association had no means to buy into his own property (that is the land in question, and subject to any existing contracts and engagements) the lands in Otago. But your Honors will observe that the lands which were purposed to be affected formed part of the Town of Dunedin, and one question which the Court will have to consider is, whether in regard to the whole of the Town of Dunedin there was not a contract between the New Zealand Company and the Otago Association and its settlers which could not be interfered with by the Crown. We find in fact, that in the Constitution Act the terms of the contract that is, the Constitution Act, were kept that the failure of the Otago Association to carry out its charter, it was the evident desire of the Crown that it should be carried out. Section 78 says, "It shall be lawful for His Majesty for that purpose" (that is, for fulfilling the contracts) "to make provision by way of regulations to be contained in any Charter to be granted to the said Association for the disposal of the lands to which the said terms of purchase and purchase price relate, so far as the same are still in force as aforesaid, and for varying from time to time such regulations, with such consent by or on behalf of the said Association as in any such Charter or Instructions shall be specified, and for fixing the boundaries thereof, and for enabling the said Association to transfer its powers to the Provincial Council for the Province of Otago." These are remarkable words, because they of course contemplate the election of a Provincial Legislature, and presuppose the possibility of the Association transferring (as was done in the case of the Canterbury Association) all its powers of dealing with back to the Provincial authorities. It is perfectly clear that at the time of the surrender of the New Zealand Company's Charter it was not the intention of the Crown to interfere with the Associations of Canterbury and Otago, which were then carrying out the work of colonization, and there was no intention to impose its own regulations with regard to the waste lands of the Crown on any portion of the blocks comprised within the operations of these two Associations. In March, 1858, the Governor proposed to issue land regulations, purporting to do so under Instructions supposed to have been issued to him-under the sign-manual. But the Governor had no power to issue those Instructions for that he was kept from the Legislature until the 26th March, 1854, when it was necessary to have them ratified by an Act. These Instructions are absolutely still as to any power of dealing with the waste lands of the Crown under any power delegated by the Constitution Act. The Governor, however, professing to have this power, issued the Regulations of March, 1855, and these were rendered void afterwards by the "Waste Lands Act, 1854," mainly because they had been largely acted upon outside the Canterbury Association Block. These large quantities of land were acquired at 30s. an acre, to the great disgust of 49
the Canterbury settlers, and it was absolutely necessary to validate the regulations, or the title created under them would have been invalid. It appears they were to come into operation over all lands outside these blocks within a certain time. There is no mention of the blocks, and the inference is that they were to be reserved. We are reminded thereby, to this extent, that between November, 1846, and January, 1848, the Royal Instructions of 1846 sought to impose a distant date for the operation of the Land Act, the language of which proceeds as from assuming that there was any power of dealing with these lands. For although that Act was not promulgated until January, 1848, it had, as I submit, an ex post facto operation, and saved the lands of the Otago Association. Therefore, as I submit, there was no power whatsoever in the Governor, nor was there, as I submit, in Her Majesty, any prerogative to interfere in the disputed degree with any of the lands within the limits of the town of Dunedin as laid down in the agreement between the New Zealand Company and the Otago Association. The declaration shows that the grant is for land in the town of Dunedin, and in the letter of Mr. Dunant we have words "granting" to certain Natives who are the habit of visiting the town of Dunedin.

Nicolson, J.—But how do we know that the town of Dunedin is within the Otago Association's land at all?

Mr. Travers.—There is nothing in the declaration which shows that the town of Dunedin was within the limits of the Otago Block.

Nicolson, J.—Then how do we know that this land is not within the Instructions of 1846, as to the waste lands of the Colony?

Mr. Travers.—There is no doubt that on the face of the declaration itself there is nothing to show that the lands set apart for the town of Dunedin did form a portion of the lands in the agreement between the New Zealand Company and the Otago Association.

Nicolson, J.—But whether the declaration is good. If it does not disclose that this land is on the Otago Block, the Court may be compelled to hold that it was under the ordinary regulations for the waste lands of New Zealand.

Mr. Travers.—Then there is this question:—Whether there was in force at the time of making this reserve any power to do so? I shall submit, in the first place, that all the land regulations in existence anterior to the passing of the Constitution Act were absolutely abrogated by that Act so far as they related to the Governor. We therefore come to the consideration of that question of repugnancy, and no doubt it is one full of difficulty. The real question is, was there any power under the Constitution Act, when the Constitution Act came into operation, left in the Governor under any previous regulations to deal with these lands as he wished. I submit that there was not, and that he had no such power under the Constitution Act, nor had he by virtue of any regulations framed under the provisions of that Act. If we have to go to the date of these letters, as the date at which this was supposed to be done, we must assume that the letters were written simultaneously, and immediately submitted for the Governor's approval. We have therefore to consider whether there was at that time any power to make the reserve; and if there was, whether it was properly exercised. Now all the powers of dealing with the waste lands of the Crown anterior to the Constitution Act were those which were given in the 13th chapter of the Royal Instructions, 1846, section 17. In considering those Instructions I would ask your Honours first to look at the charter which accompanied them, sections 14 and 15. And we do hereby give and grant to the respective Governors of the said Provinces respectively, full power and authority to make and execute in the name and on our behalf, under the public seal of the said respective Provinces, grants of waste lands to us belonging within the same, either to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public uses of our subjects there resident or any of them:—Provided always that, in the exercise of the power last aforesaid, the respective Governors of the said Provinces respectively shall strictly conform to and observe the rules for their guidance prescribed in and by the said Instructions.hereinbefore mentioned. Therefore, the Governor will be entitled to exercise that power of making grants to individuals as he thinks fit and proper, and in conformity with the Instructions given to him, and in the Instructions we find that he is prohibited from granting the land gratuitously to any body or for less than a certain price. That the 14th section of the 13th chapter of the Royal Instructions was afterwards repealed to a certain extent by additional Instructions issued on the 7th February, 1850, and the language of the repeal is peculiar. "Now, therefore, we do hereby revoke what part of our said instructions which prohibits the alienation of land gratuitously, so far as regards such naval and military officers, military pensioners, or aboriginal inhabitants as aforesaid." So far, therefore, any restrictions on the power to alienate lands was abrogated, but the Instructions remain in force in regard to the aboriginal inhabitants, because there is no mention of them in the subsequent passage. "And we do hereby authorize you to allow to such officers all such remission of purchase money or other privileges in the acquisition of land as they may from time to time be entitled to." Then the Crown goes on to say,—And we do hereby further authorize you to grant from time to time such arrangements as you may be directed by us to make, or on our behalf by your Agents, to the settler on Crown lands within the Colony of military pensioners sent out as aforesaid, and of any of the aboriginal inhabitants of the Colony. So that, I submit, the proper construction of this is that, the only gratuitous grant of land which could be made was such as would further the settlement upon the waste lands of the town of the military settlers and aboriginal natives.

We now come to the 15th section of the 13th chapter of the Royal Instructions, and I shall point out that there is no provision for granting the required lands unless the Governor gives his assent thereto. If the Governor of the Crown was given, can be treated as a grant within the modified construction of that section. The Governor, who has no power in himself, but is the creature of the statute, is directed by the charter, in carrying out the Royal Instructions, to observe those Instructions strictly. Now what are those Instructions? The Instructions presuppose the making of maps and charts, and the performance of a variety of acts which are set forth in the commencement of this chapter; and then this particular section provides:—"The Governor of any such Provinces, with the advice of the Executive Council thereof."—mark that,—shall in such cases as aforesaid cause to be marked out and distinguished all such lands situate within and forming part of the demesne of the Crown as may appear best adapted for the site of future towns, and so on; or otherwise for purposes of public...
utility, convenience, or enjoyment, in which the whole population of the Province, or any large numbers of the inhabitants thereof, may have a common interest; all of which lands shall be called and known by the name of reserved lands.

That is to say, upon the face of the chart under which the dealings with the waste lands of the Province are set forth, the Governor, with the advice of the Executive Council, the Legislature, and in those towns, cities, and villages, and everything that is to conducive to the benefit of the public and the furtherance of trade and so forth, but not to lay off special places for Natives, who may visit the town of Dunedin at times, to build houses upon them. I do not know how my learned friend can contend that the suggestions in the letter came within the instructions in that letter; nor has it been shown that these places have been laid off on the chart. The object is, that they should be laid off for the information of the public, in order that there should be no improvements upon the lands.

REICHARDT, J.—That section of the Instructions appears to some extent to solve the questions so often asked, what reserves are, and how should they be made?

Mr. TRAVERS.—To some extent; but the Governor has no arbitrary power to set apart tracts of land for the Natives, and there is no provision for treating this as land coming within that section, or as coming within any of the classes of reserves which are mentioned. As my friend pointed out the 19th section says what is to be done, with these reserved lands. With the exception of those reserved for the sites of towns, they may be conveyed to bodies corporate or public for public uses. But there is no power to convey the sites of towns; and as the major includes the minor, there is no power to convey a portion of the sites. That is to say, a town is to be laid off, and in laying it off for purposes of sale, no doubt portions of the land would be set apart for various purposes, as part of the general scheme; but this particular piece does not come in any degree within the category C.J.—Said the 19th section. I am not arguing that these Instructions were the law in force in New Zealand from the time of the surrender of the New Zealand Company's Charter to the promulgation of the Constitution Act, and that they extended to the town of Dunedin. Assuming this to be so, there is nothing on the face of the law to authorize the Governor or any other to do what he has professed to do, as we gather from these letters. If this can in any degree be treated as a reserve within the terms of the 17th section, the declaration is had, because it does not show that it was made with the advice of the Executive Council. That in making the provision of reserves, it is to be folly to the terms of the Royal Instructions, firstly, in obtaining the consent of his Executive Council; and secondly, in laying it out on the chart and plans. Reserves must be for some purpose of public utility to the Province at large, or to some large number of the inhabitants, whereas the object of this reserve is to give an exclusive interest to a certain number of Natives who were in the habit of visiting Dunedin for certain purposes. Therefore I submit there is nothing to show that the reserve was properly made.

JONES.—The Court does not think it is necessary to ask you to carry your argument further against the declaration, Mr. Travers. We will hear Mr. Allen in support of it; and if he should show the Court that the writ is even set out, we will hear you further.

Mr. ALLEN.—I contend nothing that my friend has urged is an answer to the declaration, because I have argued that if it were necessary to show in the declaration how the reserve was made, the omission has been cured by pleading over. I say that we must look at the whole record as it stands, and any defects in the declaration are cured by what has been done; because this pleading, being in the nature of confession and avoidance, admits that the reserve has been made. Supposing we took issues on that plea and had gone to trial, and the issues had all been found, there would not be any necessity for one to plead anything, and it would be for the defendants to prove their case. It would not be necessary that the validity of the reserve, should be called in question, but it would be for them to show that by a previous contract a duty was imposed upon the Governor to make this grant, and that it had been duly made. The whole question would have to be taken as clearly as it was in the reservation, but that the Governor had a right, under a previous contract, to make this grant. If they failed in proving that, my declaration must succeed, and all allegations: it must be good, and if I had got a contract it could not afterwards be upset in arrears of judgment. I press upon your Honors that in a case like this the whole record must be looked at, and therefore the defect which they say exists is supplied by the pleading over.

JOHNSON, J.—Their great point is that by law the Governor has not power to make the reserve, and surely the omission to show that power is not cured by pleading over.

Mr. ALLEN.—I say by their pleading they admit that the reserve was made; and if they went to show that it was not properly made, they must take the course we have adopted, and apply that the deed should be cancelled, or at any rate that what was done should be set aside. The plea of decision and declaration must be taken together; and I say that, according to the undoubted rules of pleading, if the objection amounts to anything, it is that the title is pleaded defectively, and they cannot say that it was what it was.

Mr. ASHER, C.J.—We do not know that there is a good title, and therefore we do not know that it is a case which comes within a good title defectively pleaded.

JOHNSON, J.—What we ask you to answer is this: Mr. Travers says that, under the condition of things at the time of this alleged reserve being made, the Governor had no power to make reserves such as this, assuming it to be a reserve for the purpose recommended.

Mr. ALLEN.—I understand the argument to be this, that the Governor had no power because there were no proper reserves.

ARKET, C.J.—Mr. Travers took us through the earlier Statutes and Instructions, up to the Constitution Act, in order to show us that under the provisions those Statutes and Instructions there was no power in the Governor to make this reserve.

Mr. ALLEN.—We will consider them first of all, whether the Governor had, or the Sovereign had, or the Sovereign legislatures delegated to the Governor by any positive act, the power to make the provision in question: any provision in the Royal Instructions of 1840 was given to the Governor to do so. That section is quite large enough to give him the power— or otherwise for any purposes of public utility, convenience, or enjoyment, in which the whole
population of the Province, or any large number of the inhabitants thereof, may have a common interest.

Jornsvor, J.—You will find that, instead of being in terms of that section, this reserve is "for certain aboriginal inhabitants visiting the place."

Arrey, C.J.—There is nothing said about the advice of the Executive Council, as required by the section.

Gansor, J.—How do you make out that the requisite formalities have been complied with?

Mr. Alexander.—I am entitled to fall back upon the rules of pleading, and say that it would be a title defectively pleaded which is cured by their pleading over.

Jornsvor, J.—Surely their point is that the Governor had no power by law to make such a condition of things as you rely on? Surely you cannot say that pleading over will cure that?

Mr. Alexander.—I say we are not bound to rely solely on this. We must look at the whole object and intention of the Legislatures of England and New Zealand.

Jornsvor, J.—But Mr. Travers says "I have brought before you the whole of the law which might give the Governor power to do this; I have shown that it does not give that power, and I challenge the other side to show the contrary."

Mr. Alexander.—The Governor may make provision for a large number of the inhabitants of a Province; and assuming for a moment that these are a large number of the inhabitants, then I say I am next bound to show the formalities. I have not set out that the reserves should be made in this way or that, but I say generally that reserves were made. If I can show to the Court in any way that the Legislature has recognised these reserves, or that they can be made under this particular section, then the fact that certain formalities are not shown to have been complied with does not vitiate the title. Will your Honors concede to me that if these formalities were set out, this section would be simply sufficient?

Jornsvor, J.—Most certainly not.

Mr. Alexander.—Then we may consider the case in this way. Does the Legislature recognise that reserves such as this can be made, and have been made?

Arrey, C.J.—If you would turn to the language of that section and point out how you would bring this class of lands within those mentioned, then I should feel obliged to you. I have been looking earnestly myself for the source of these reserves, and am anxious to see how they can be brought within the land there described. Assuming the class of land to be for public utility, convenience, or enjoyment, in which a large number of the inhabitants of these demesne lands have a common interest, I cannot entirely disregard the 18th section, which provides for their being made the subject of a trust. However, presuming that these persons constitute a large number of the inhabitants, you may argue that "The Public Reserves Act, 1834," does appear to acknowledge that reserves for Native inhabitants are equivalent to Native Reserves.

Mr. Alexander.—I do not appear from those letters what number of inhabitants there might be. They might be few or large, and I have a right to assume that they were large. If it is admitted that under this section Native Reserves could be made, then I say that the whole purview of this declaration will show the power of the Governor to make these reserves. The contention, as I understood, was that he could not make reserves at all; but if it is admitted that reserves can be made, then a considerable progress has been made in my argument. I say the Natives must be looked upon, and have throughout been looked upon by the Legislature, as the original inhabitants of the place, entitled to be treated with as much favour as those who came and got their land from them. There is nothing on the face of these letters to exclude these lands from the classes of lands treated of in this section. The letters do not show that the number of the Natives might not be large; on the contrary, we are not to suppose that the Governor would be moved by his officers to make accommodation for two or three Natives, or that he would make such provision except for a large number of the inhabitants.

Arrey, C.J.—Mr. Travers gives you the largest benefit you can derive from that. He says it means a large number of the general body of inhabitants, but does not mean a particular class or the exclusion of other classes.

Mr. Alexander.—It would not make the grant bad because it was a grant for Natives alone.

Arrey, C.J.—The argument is, that even if it was for the Natives generally it would be bad, because it is intended that the Governor has not power to select a particular class.

Mr. Alexander.—I say that argument is not tenable. I say these words will not bear that interpretation because they are for any large number. Now, although they may be all Natives yet their number may be considerable.

Arrey, C.J.—Section 18 goes against such a proposition, for it says the land may be conveyed to a body politic or corporate for public uses.

Richmond, J.—There is no doubt that it might be of the highest public interest, even if a few Natives only visited the place. It might be of the highest interest to the whole Colony, and especially to the North Island, that the Natives in the extreme South should be decently treated; but the difficulty in your view is, that where there are clauses in Acts or Royal Instructions enabling the Governor and Executive Council to make reserves, those provisions should be complied with. It has been shown that the Governor, as an individual, but I confess that makes not the slightest impression on my mind at present. I do not think that it should be considered as for certain persons; and I think that, looking at the whole series of letters, the fair construction is that it was a general Native Reserve which was intended to be made. But the main question pressing upon the majority of the Court is as to the actual existence of the power, and, if that existed, as to its having been duly exercised.

Mr. Alexander.—I contend that there would be power to make these reserves under that section, and that the letters of Mr. Martell and Mr. Dommett are sufficiently ample to show that such reserves might be made under that section. No particular names are specified, nor is the number limited. If a list of names was set out, no doubt their argument would be stronger, but such is not the case. Then
Jenkinson, J.—But supposing the law has given A.B. with the consent of C.D. power to do a certain thing, which power A.B. had not got, surely you would allege that A.B., with the consent and approval of C.D., did it?

Mr. Ascar.—In that case I fall back upon my old argument, that the defect is cured by pleading over. I say they admit by implication here, that the formalities were complied with, because throughout their pleading they admit the reserve was made, and was really a valid reserve. But they try to get rid of it in this way, that through some previous contract, or some mistake in the recommendations of Mr. Mastell, the reserve should not have been made. They say, “We quite admit that the Governor has the power to make it, if something has not occurred before; but something has occurred, because by a previous contract between the Otago Association and the New Zealand Company, the land has been taken in a certain way, and therefore the Governor should not have made this reserve.” They do not say that the Governor has no right to make a reserve at all; they clearly admit his right to do so in the 11th paragraph of their plea. But supposing this case would not come under the 17th section, I go further and say, we must look at what has taken place since. In the 74th section of the Constitution Act there is a clear admission by the Legislature that reserves can be made for aboriginal natives. Then comes “The Public Reserves Act, 1834,” by which it is expressly provided that the Governor shall have power to deal with the lands belonging to the Crown and convert them to every purpose “except such of the said lands shall have been and are now or may hereafter be reserved for purposes of military defense, &c., or for the benefit of the Native inhabitants of said Colony.” We have next the Native Reserves Act, which recites that reserves have been made, and provides for the management of those reserves; and then we have the Native Lands Act expressly saying that the Native Reserves shall be managed by the Governor for the use of any aboriginal native. Now what can all these separate clauses and recital mean? They must mean that there was some power somewhere to make reserves for Natives; they must mean that the Governor, even if he had no direct power under an Act, thought it for the benefit of the aboriginal natives that reserves should be made, and could make them. I say it was clearly the intention of the Imperial Legislature, and of the Legislature here, that such reserves should be made.

Jenkinson, J.—Are you now suggesting that the Governor or Crown was some authority in regard to the matter beyond the law?

Mr. Allan.—I am suggesting this, that if the Governor chooses to appropriate those lands in trust, his power to do so is recognized by the Legislature, and it is law.

Jenkinson, J.—He can do as he likes with what lands? With waste lands? Then can these be reserved under these Terms?

Mr. Allan.—Then what is the use of these Acts? Are we to suppose that the Legislature was so ignorant or neglectful of the public interest as to pass Acts recognizing the Governor’s power in that respect when he had not got it? The Legislature says, “If you choose to give the Native land reserves, they will be given, and they can be administered in a certain way and cannot be alienated.”

Jenkinson, J.—Then it amounts to this, that anything the Governor did, without any authority whatever, is ratified by the recitals in those Acts?

Mr. Allan.—But these recitals must have had some meaning, or they would not have been put in.

Jenkinson, J.—They might apply to such reserves as were made properly under the 13th chapter of the Royal Instructions, 1834, namely, with the advice of the Executive Council.

Mr. Allan.—I will refer your Honors also to “The Waste Lands Act, 1839,” section 11, which clearly recognizes the Governor’s power to fill engagements. This is an engagement and even more, for it is a trust of which there is evidence, and under that Act it must be complied with. Then there is another point which I suggested early in the argument, and which I must press again here. In all the cases in reference to Crown Grants, there is an admission that the Crown clearly intended to give away what it did, but by some previous deed or instrument the right to do so was taken away from the Crown. Then the allegation is, that the Governor made these reserves, and that he afterwards, by mistake, not intending to grant them, granted them; that I say, clearly enough upsets the grant. I do not care whether the Governor had right or not to make the reserves. I say that it is clearly stated by the Crown in this record that a trust was made, and it is not necessary to show that the actual instrument was a valid one, and not to be impeached. As the declaration is put before the Court, there is enough to upset their deed, whether I show that this reserve is made validly or not. It was never the intention to give this land to the people of Otago; but by mistake it was given, and therefore the grant which goes is invalid.

Austen, C.J.—The Court considers it better to dispose of this at once, because we are of opinion that the question is bad. Assuming that there was power in the Governor to make reserves of this description for the use of the aboriginal inhabitants, and that this particular reservation comes within the powers that it possesses, and assuming that those powers are referable to the 17th clause of the 12th chapter of the Royal Instructions of 1834, it is my opinion that the declaration ought to show that the Governor was acting legally, and that the reservation was made within the law. The declaration merely sets out certain facts, which are to be treated as amounting to the allegation that these lands had a trust fixed upon them, and showing that the Governor had authority to make the reserves; and I think the declaration thereby falls short of the requirement. The omission of the reservation that the defect is not aided by the general allegation that the reserve was “duly” made, nor does it show that it was impressed with a trust. These are mere allegations in law, and no more. Then it is said that the defect is cured by the pleading over. That might be the case if in the plea there was any express averment that supplied the defect, but I fail to find any such averment. The averment in the 13th paragraph of the plea amounts simply to this, that the recommendations of Mr. Mastell were made in ignorance. I cannot see how such an averment can be said to supplement the defective allegations in the declaration, and make the averment of “duly”
made equivalent to an avерment of the reserve having been made in accordance with the requirements of the law.

Joseph, Jr. — As far as I understand the case, the only two grounds on which it has been suggested that this reservation could be valid are: First, that the making of the reservačion might in itself be under the 17th section of the 12th chapter of the Royal Instructions, 1846; and, secondly, if not, that inasmuch as the other statute bearing on the subject is that, by statute made in the province, a reserve made by the Governor, it must be assumed that he had power to make the same. I need hardly refer to the argument of the learned Counsel for the plaintiff in error as to the construction to be put upon the recital in the Constitution Act, that therefore the power must be taken to exist; but I may say, that even if the learned Counsel had shown that the Governor had unlimited power to do what he liked with the vacant lands of the Crown. The learned Counsel being asked to support the declaration of voidness, so as to say that the legislation of reserves in the province, under the 17th section of the 12th chapter of the Royal Instructions, was invalid, I would have been sorry and I for one should be very sorry to say that such a grant could not be so supported. I can very well understand that the granting of land to Natives at European towns (possibly to Natives residing in the neighborhood who necessarily would have business in the towns), might be not only for their advantage but for the advantage of the community generally. Therefore I do not for a moment doubt that it would be possible to make a grant to a body of Natives (not merely particular Natives, but a body of Natives inhabiting the district) for some such purposes as those alleged, and that such a grant might come within the spirit and language of the 17th section; but in order to bring it within that section it must be shown that the title was conveyed by those who had a right to convey it. The power to do so is not given to the Governor alone, but it is to the Governor or Lieutenant-Governor of the Province, with the advice and consent of the Executive Council. Therefore, should it be alleged in pleading that there was a title, it certainly would be necessary to show that the making of the reserves was by the Governor, with the advice of the Executive Council. Now there is no allegation that it was so done; there is not a word in the business which has been made with the advice of the Executive Council. The declaration does not say that this was submitted to the Council, and that they approved of it. It is merely stated in the letter of Mr. Donnett which is not clear, that His Excellency the Governor approved of the reserve being made. That I consider to be a substantial omission, showing a defect in the title under the 17th section. That is to say, suppose it might have been done by deed or otherwise, if it was de facto done by the Governor without the consent of the Executive Council the deed would be void. Therefore there ought to have been an allegation that such consent had been obtained. It is then contended that there are some allegations in the plead which would help to cure the omission. I am not prepared to say that this is a kind of omission which could be cured by plea, although it might be by verdict; but granting for a moment that it is, I am clearly of opinion that this is not merely a formal omission, as not stating a good title, but which is a substantial defect in setting up a title which has not been proved to be good. Then, giving the fullest respect to the few authorities that can be cited on the subject, and which all relate to old times, a plea or any of its allegations cannot be allowed to if there is an express allegation, as for example in this case, that the thing was done by the Governor, with the advice of the Executive Council. No such allegation exists, and it is very doubtful whether there is any ground for the contention in the declaration that the reserve was made. Again, looking at the terms of the 17th section of the 12th chapter of the Royal Instructions, 1846, I see that the mode of making the reservation is indicated. That probably ought to have been set out in the pleading, although it may be that the doctrine of pleading over would not be a good answer to some extent, at all events. It may be that it is not so essential a matter as to make it absolutely necessary to state it in the title. The subject having arisen in the early part of the argument, I put a question to the learned Counsel on the matter, but have failed to receive an answer. I find it now answered to a considerable extent in the 17th section, for that shows what making a reserve in. It shows that the act of reservation is the particular mode of setting apart for the benefit of the public: "The Governor or Lieutenant-Governor of any such Province, with the advice and consent of the Executive Council thereof, shall, in such chart as aforesaid, cause to be marked out and distinguished all such lands situation within the forming part of the dominions of the Crown as may appear best adapted for the use of future towns, &c., &c., or otherwise for any purposes of public utility, convenience, or enjoyment, in which either the whole population of the Province or any large number of the inhabitants thereof may have a common interest; all of which lands shall be called and known by the name of Reserve land." We have therefore the act of reservation necessary under the section, namely, the marking and distinguishing on the statutory charts. Now, it may be that if the objection taken to the declaration had been that this mode of statutory reservation ought to have been set out and was not, then I think it might fairly have been argued, within the scope of the authorities cited by the learned Counsel for the plaintiff in error, that the allegation in the plea that the reserves were made de facto might have been sufficient to show that they were made according to law. However it is not necessary to decide that point now. I am only drawing attention to the distinction between that which is a formal omission in the setting out of a good title, and the substantial omission which exists to show the operation of the act done. Under the circumstances the Court has no option but to hold that the declaration is bad. I do not think it follows that the rights pointed out by the learned Counsel is likely to take place, namely, that by holding this declaration to be bad we should be affirming that the Governor has no power to make such reserves, or that there are no reserves made by law such as were contemplated by the recital to the Constitution Act, by the Public Reserves Act, and by the Native Reserves Act.

Gendron, J.—I move to say that I concur in the opinion expressed by His Honour the Chief Justice, and by my learned brother Johnston, and also in the proposition laid down by the learned Counsel for the defendant, in that to say that the Governor had power to make this reserve, and, if he had that power, that it was duly exercised. I consider that he has failed to show both, and I do not think that the defect in the declaration is cured
by the pleading over. I concur with my brother Johnston that it is quite possible that these reserves might have come within the character of reserves which, under the 13th chapter of the Royal Instructions, 1846, it might have been open to make, assuming that the Governor had the power. I do not see that the fact of the words "certain Natives" being used in this first letter set out here, when the word "Natives" is used in the subsequent letter, would have shown that the purpose was of a character for which a reserve could not be made, but I think that upon the other branches of the case the plaintiff has wholly failed.

Richmond, J.—I have only to observe that in this case the Court has necessarily assumed that the power of the Governor, with the advice of the Executive Council, to make such reserves as these depended upon the Royal Instructions of 1846. I believe I express the opinion of the whole Court when I say that, although we have necessarily pressed upon that point, we have, in the course of the argument of which we could take no notice, felt that the Royal Instructions, 1846, did not regulate the matter. But we are obliged to consider the declaration upon the assumption that the Governor's power in the matter would be derived from those Instructions. There is no allegation upon the face of the declaration showing that the lands in contest formed part of the Otago Block. Had it anywhere appeared upon that part of the record which we have had to consider that such was the case, then, no doubt, the case would have been open to a different construction. It is not likely, however, that that would have profited the plaintiff in any way.

Ward, J., concurred.

Mr. Allan applied for leave to amend the declaration.

The Court reserved leave for him to apply before the close of the sittings.
### PAPERS RELATIVE TO LIGHTHOUSE RESERVE, OTAGO HEADS.

#### Schedule.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Aug 17, 1854</td>
<td>Mr. Mantell</td>
<td>Hon. Colonial Secretary</td>
<td>Forwarding a letter from Karatai and others praying that the Governor will not allow a portion of the Otago Native Reserve to be taken from them.</td>
</tr>
<tr>
<td>2</td>
<td>Aug 18, 1854</td>
<td>Karatai</td>
<td>His Excellency the Governor</td>
<td>Praying that his land may not be taken away.</td>
</tr>
<tr>
<td>3</td>
<td>Feb. 16, 1857</td>
<td>Horo Wetere Korako and others</td>
<td></td>
<td>Respecting the right of the Government to occupy the land at the Pilot Station, Otago Heads.</td>
</tr>
<tr>
<td>4</td>
<td>June 18, 1857</td>
<td>Commissioners, Crown Lands</td>
<td></td>
<td>Memorandum on the claim preferred by Karatai and others to the Pilot Station.</td>
</tr>
<tr>
<td>5</td>
<td>Feb. 13, 1858</td>
<td>Mr. A. Mackay</td>
<td>The Under Secretary, Native Department</td>
<td>Memorandum pointing out that the claim preferred by the Natives of巡查 Head has no foundation.</td>
</tr>
</tbody>
</table>

---

**No. 1.**

Mr. W. Mantell to the Hon. the Colonial Secretary.

**Otago, 17th August, 1854.**

I have the honor to forward you a letter from Karatai, praying that the Governor will not allow a portion of the Otago Native Reserve to be taken from him.

The mistake appears to have originated in the grant of the Otago Purchase to the New Zealand Company, wherein the Crown Reserve on the East Head is estimated to contain 250 acres, which would bring its boundary to the line AB, on the enclosed sketch, No. 1. But the true boundary is given in the map at p. 56, Parliamentary Papers, No. 45, 289, of which I enclose a copy.

I am requested to beg, His Excellency to confirm the latter boundary, in order to prevent any doubt on the point from arising at any future time.

I have, &c.,

WALTER MANTELL,
Commissioner.

---

**No. 2.**

**TRANSLATION OF LETTER ADDRESSED BY KARATAI TO HIS EXCELLENCY THE GOVERNOR.**

**Dunedin, Teponati, 19th August, 1854.**

Do not take the land of my children, because this is the land of the children, this being the real land of the Natives. Friend the Governor, listen to my speech: At the Waihakabuki is the beginning, and goes on to Takihauanui. Pukekura is yours, and has been sold to the Queen some time, but Pukekura is the only part of Waihakabuki that is given up to you. Waiurai is mine, but is taken by the Europeans. The boundary is at Taikorokore, and on to Kereke; this is the Native boundary, and on to Waiurai. Waiurai belongs to Taikorokore. Onekopa belongs to Harawe. Askariki belongs to Rimaha, those being the owners and holders of the land; also, part of the land belongs to Oera. Friend the Governor, give me back the land as taken wrongly by the Europeans, because I shall be made a poor man, as the greater portion of the land belongs to the Europeans. Now Waiurai belongs to the Natives; the Koa is the protector of Waiurai, also Pirihira; the boundary goes to Perekahia, then comes that of Panapa and Pita, and Pukehau, because they are the men of Waiurai.

Friend the Governor, salutations to you; my word to you is ended.

---

**No. 3.**

**TRANSLATION OF A LETTER ADDRESSED BY HONE WETERE KORAKO TO HIS EXCELLENCY THE GOVERNOR.**

**Otago, 16th February, 1857.**

Salutations to you, the parent of all races, whether Pakeha or Mauiri, inhabiting these two Islands of New Zealand.

---

61
Sir, salutations to you. This is a word of ours to you about this piece, where the Pilot lives and the Signal Station stands. That land has not been purchased by you from us, in that we cannot importuning you to pay for it. Karetai does not know that you have bought it, and so he keeps on urging you to pay for it, for it is not clear that it was included in the boundary laid down by Colonel Wakefield and Haimona. They went over the whole boundary of the land, and laid down the money, but it was not clear that any of it was intended to pay for this piece. For look, Governor, at where the boundary laid down by Colonel Wakefield and Haimona (Symonds) begins: It commences at Puruhurehe, thence along the sand by the eastern shore of the entrance of Otago straight over the level land adjoining Portobello, thence to Posieiti, thence as far as the north side of Posieiti, thence along the sea shore to Fitawarikahia, thence to the mouth of the Taieri River. Karetai, as far as Tokata, then the external boundary ceases; thence commencing the inland boundary, Pohuehe Propontani, then extending towards the interior Makatānui, right on to Whakarari, then over to the sea coast to Mihinawa Puhururehe, then the boundary as laid down by Haimona and Colonel Wakefield.

Sir, the Governor, those are the lands in respect of which the purchase money was laid down, £250, by Colonel Wakefield and Symonds; which money was accepted by Tubuwari, Tairaro, and Karetai. That is all we have to say about it.

Sir, just take a look, consider the passing to you of that land on which the Pilot Station stands, of which Pukekura is the main Reserve, but to you, the Paketa, is known as Tairaro Head. This is the piece of land we want you to pay for, for a portion of the land was an old burying-ground used by generations long gone by, and by those who have followed them up to the present; for the site of that burial-place is now occupied by the houses of the Europeans at the Pilot Station, and the potato plantations and cabbage gardens. When we come to your business, our dead still lie buried in that ground; our children, our parents, fathers, mothers, and all who died, yet it has been made by the Paketa into a cultivation. Sir, it is for you to take this matter into consideration, so far as it affects your dead. Look into this matter, and see whether it is right or wrong. With you is the decisive word.

That is all from the whole Rungaro of Otāgo.

Hone Wetere Korai, H. E. Callor, Threo Kārepat, Take Wetere Te Hau.

Sir George Grey, Governor of New Zealand.

---

No. 4.

Memorandum by Mr. W. H. Cottrell, on Papers relative to the Claims of Kākaeti and others upon the Pilot Station, Tairaro Heads. With reference to the boundary of the Pilot Station Reserve at Tairaro Heads, and the claim made for payment for Pukekura by the Natives, on inquiring I do not find either of these questions have any foundation. In the first place, the line on which the Government have erected the boundary fence corresponds so nearly with the description given in the deed of sale as it is possible to make it; the boundaries, as described in the deed, are at Waikakakeshi on the one side, and Pukekura on the other.

29th June, 1857.


---

No. 5.

Memorandum by Mr. Mackay on the Lighthouse Reserve Question. With reference to the boundary of the Pilot Station Reserve at Tairaro Heads, and the claim made for payment for Pukekura by the Natives, on inquiring I do not find either of these questions have any foundation. In the first place, the line on which the Government have erected the boundary fence corresponds so nearly with the description given in the deed of sale as it is possible to make it; the boundaries, as described in the deed, are at Waikakakeshi on the one side, and Pukekura on the other.

2. Their claim to Pukekura is a mere pretext; there cannot be the least doubt that it was included in the sale to the Company, or why should no one have been excepted for native purposes? Moreover, the boundaries of the purchase are so clearly defined, that no doubt can exist on that point. The deed recites: "The northern boundary line commences at Puruhurehe, runs along the sea shore; crossing the entrance of Otāgo Harbour to Otāgo (the point on where the lighthouse stands); thence along the Coast to Posieiti; the eastern boundary is the ocean from Posieiti to Tokata (near the Molyneux), and the southern boundary commences."

The cessation of Pukekura is moreover confirmed by old Karetai's letter of 10th August, 1854, in which he admits that Pukekura belongs to the Queen, and fixes the boundary as Tākore-Kāre, as shown by Mr. Mantell; his only complaint is that Waikari, the land of his children, is about to be taken from him in error by the Paketa. The plea now brought forward by the Natives, is that although Pukekura is included in the deed of sale, it was never paid for, and it was only made over to the Queen on the understanding that payment was to be made for it at some future time. There is no allusion made in Captain Symonds' correspondence respecting the purchase of the Otāgo
PLAN OF PART OF NATIVE RESERVE

OTOGOHEADS

Showing the position of the ACRE claimed by the Natives

Note. Block colored yellow (in this Plan thus ☢️) shows Land in the possession of Government as a Reserve for Pilot and Light Hi and known by the Natives as Pukekura.

Block colored Red (in this Plan thus 🍃) shows approximate position of the acre alluded to in the Deed of Sale N.Z.C. as reserved at Pukekura for Natives.

Block colored Green (in this Plan thus 🌿) shows Land intervening the present Boundary as fenced in by the Government and the supposed Boundary of the Government Reserve, shown by Mr. Mantell on the Tracing attached to his Letter of the 17th August 1854.

Signed, Alexander Mackay
Block that would give the least colouring of truth to this assertion, and the conclusion to be inferred is, that it is merely an impudent attempt to gain money.

In a recent notice received from the Native Lands Court, setting forth the date of sitting of the Court at Christchurch and Dunedin, I notice amongst their claims they have sent in one for Pukekura; this claim can easily be disposed of when the time arrives.*

Respecting the acre they are entitled to at Pukekura, it is difficult to define its precise position; the posts alluded to in the deed as forming the boundaries of it were old wattle posts (not survey posts) which have long since disappeared, and no satisfactory information can be gained as to where they actually stood. The Natives are evidently bent on securing the site on which the Pilot Station stands; but if the block coloured yellow on the tracing copied from Parliamentary Papers, No. 45, 360, p. 54, is taken as the approximate position of the said acre, its position will be very near the spot indicated in the tracing herewith attached.

10th February, 1868.

ALEXANDER MACKAY.

* The Court decided at its sitting in Dunedin in May, 1868, that the line of fence erected by the Provincial Government should be the boundary of the Lighthouse Reserve at랙해 Head, about eighteen acres in all, out of which one (1) acre has been excepted for the Natives in accordance with the terms of Symonds' purchase, the rest to be leased in favour of Kepa. The landing-places to the Pilot Station at Oakeo Heads was made inalienable except to Her Majesty, her heirs and successors. The Provincial Government of Otago pay the Natives a rental of £3 10s. for a right to use the beach as a landing for the Pilot Service—ALEXANDER MACKAY.
PAPERS AND DOCUMENTS RELATIVE TO THE PURCHASE OF
THE WAIRAU DISTRICT, MARCH, 1842.

SCHEDULE.

<table>
<thead>
<tr>
<th>No. of No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25, 1842</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Reporting the steps that had been taken for the acquisition of the Wairau District.</td>
</tr>
<tr>
<td>2</td>
<td>7, 1842</td>
<td>Surveyor-General</td>
<td>Lieut. Governor Ewe</td>
<td>Reporting on the capabilities of the Wairau District.</td>
</tr>
<tr>
<td>3</td>
<td>15, 1842</td>
<td></td>
<td></td>
<td>Copy of the deed of cession of the Wairau District.</td>
</tr>
<tr>
<td>4</td>
<td>15, 1842</td>
<td></td>
<td></td>
<td>Copy of the deed of cession of the Wairau District.</td>
</tr>
<tr>
<td>5</td>
<td>18, 1842</td>
<td></td>
<td></td>
<td>Copy of a receipt for £1500, third installment of the purchase money.</td>
</tr>
<tr>
<td>6</td>
<td>19, 1842</td>
<td></td>
<td></td>
<td>Copy of a receipt for £2000, fourth installment of the purchase money.</td>
</tr>
<tr>
<td>7</td>
<td>14, 1842</td>
<td>W. Hume &amp; others</td>
<td>Major Redmond</td>
<td>Signifying their approval of the boundaries laid off by Mr. Brunner.</td>
</tr>
</tbody>
</table>

No. 1.

DESPATCH FROM GOVERNOR GREY TO EARL GREY.

My Lord,—

Government House, Auckland, 26th March, 1842.

In reference to my Despatch No. 14, of 27th January last, in which I enclosed copies of a correspondence which has passed between His Excellency Lieut.-General Sir M. C. O'Connell, and this Government, upon the subject of Lieut.-Colonel McCleverty, who had been sent out to this country to settle the land claims of the New Zealand Company, having been appointed the officer in command of the troops in New Zealand; and in reference to the observations I made in that Despatch upon the injuries to which the settlers were subjected, under the continued delay in the adjustment of these important questions, as well as upon the disappointment which must be experienced by the Native chiefs, who, upon any explanation of the intentions of Her Majesty's Government to send out an officer to fulfil the duties which were assigned to Lieut.-Colonel McCleverty, had waited patiently to his arrival, and since his arrival, trusting that my promise would be fulfilled.

I have now the honor to report, that finding that the arrangements of the Lieutenant-General prevented me from entertaining any hope of Lieut.-Colonel McCleverty's being able to afford me sufficient assistance, and that the Natives were at the same time unwilling, from feelings of jealousy, to transact with the New Zealand Company's Agent any business relating to the districts of land which had, previously to his arrival, been in dispute, I found it necessary to take into my own hands the settlement of the most important of these questions.

The land claims which occurred, in the circumstances of the Colony, to require immediate adjustment were those advanced by the New Zealand Company—Firstly, to the district of country, including Porirua, and lying between that place and Wairau. Secondly, to the district of Wairau, in the Middle Island, and the country lying immediately to the southward of that district.

In both of these districts the Company had actually disposed of large quantities of land to European settlers, whom, of course, it was desirable, if possible, to place in possession of the sections which they had purchased; and moreover, in a military point of view, the possession of a great part of the Porirua District, and its occupation by British subjects, were necessary to secure the town of Wellington and its vicinity from future hostile attacks and aggressions from evil-disposed Natives, as it was only by the occupation of the Porirua District that the various tracks leading across the woody mountains which lie between Porirua and Wellington could be effectually closed against an enemy. The claims of the New Zealand Company to the Porirua and Wairau Districts had not only been decided upon by Mr. Commissioner Spen as against the New Zealand Company; but after disallowing the claims of the Company to these districts, that officer had further reported that "the district lying between Wairau and Porirua, inclusive of both places, must be regarded as being in the sea and hence free from possession of the Ngati tribe; and that a district of country in the Middle Island, comprising the Wairau and a part of Queen Charlotte's Sound, must likewise be regarded as being the real and hence free possession of the same tribe." This latter decision really gave a claim to the Ngati Tribe to a tract of country in the Middle Island extending to about 100 miles to the south of Wairau, as their claim to the whole of this territory is identical with their claim to the Valley of the Wairau.

Under such circumstances I determined to purchase, on behalf of the Government, from the Ngati Tribe, a large district of land surrounding Porirua, including as much of the land which had previously been disposed of by the New Zealand Company as I could induce the Natives to abandon; thus meeting, as far as practicable, the specific claims of European settlers; and in addition to the land so acquired by the New Zealand Company, I determined to include within the limits of the
purchased land a very extensive block of country to meet the probable prospective requirements of the Government and the settlers.

The Ngatiata Tribe, after receiving an extensive reserve for themselves in one continuous block (as shown in the enclosed plan), agreed to dispose of the tract of country I required (which is also shown in the enclosed plan), which included the whole of the sections the New Zealand Company claimed, with the exception of about sixteen. As Lieut-Colonel McCleverty had been directed by Her Majesty's Government to decide upon the reasonableness of the price paid to the Natives for land, and as he was then at Wellington, I thought it right to take his opinion as to the sum which should be paid for this tract of land. He named the sum of £2,000, which, under all the circumstances of the case, appearing to me to be a reasonable and proper sum, I agreed to pay it to the Natives, arranging that one-half of the sum should be paid down on the 1st of April, 1845, and the like sum upon the 1st of April, 1846.

In reference to the Wairau District, I thought it advisable not only to purchase this district, which was estimated by the Surveyor-General to contain 50,000 acres of the finest agricultural land, and about 30,000 acres of the finest pastoral land, but also to endeavour to purchase the whole tract of country claimed by the Ngatiata Tribe, and extending about 100 miles to the southward of that valley, the greatest portion of which country is, I understand, admirably adapted to European settlement, and is likely to be almost immediately occupied by sheep and cattle, as I thought that an ultimate and decisive arrangement of this land would be exceedingly advantageous to this Colony.

The Ngatiata Tribe, after considerable discussion, agreed to dispose of the required territory, still reserving their claim to that portion of the country which is shown in the accompanying map.

Upon consultation with Colonel McCleverty, I agreed to pay the Natives (who demanded the sum of £5,000) £3,000, in five annual installments of £600 each, the first installment of £600 to be paid on the following day, whilst the remaining installments of £600 each were to be paid on the 1st of April in each successive year until the purchase money is paid.

Having completed these arrangements I directed Major Richmond to write to the Company's Agent to inform him that the New Zealand Company might, in conformity with the regulations made under the sanction of your Lordship's department, select portions of land in the two districts thus purchased as they might require to fulfill their engagements with the settlers; it being understood that they should repay to the Government, for the lands they might select, each proportion of the total purchase money as Her Majesty's Government might, on being informed of the arrangements I had made, direct to be refunded as a proper and reasonable payment.

I trust that the arrangement I have made for the purchase of these two tracts of country will be satisfactory to your Lordship. Every land claim but one, in the southward of the Colony, which is likely to occasion any future discussion or disturbance, has now been disposed of. The principle which I have adopted of annual money payments, instead of giving at once large quantities of merchandise, will, I think, have a powerful influence on the future advancement of the Natives in civilization.

They are already making rapid and unexpected strides in the arts of civilized life, and the funds thus supplied them will materially assist their advancement, whilst the experience of each year will render it probable that every successive annual payment will be more judiciously expended; and there can be no doubt that the facts of the Ngatiata Tribe receiving for several years an annual payment from Government, will give us an almost unlimited influence over a powerful and helpless a very treacherous and dangerous tribe.

As the great majority of the land questions which had formed subjects of dispute and discussion have now been disposed of, and as the Natives have now become accustomed to Europeans, and understand that the laws and regulations of the Government are respected and obeyed, I have no doubt that now the uniform system of purchasing from them such districts in their hand for possession as may be required by the Government is adopted, that no further disputes or disturbances on the subject of land will take place throughout the southern portions of New Zealand.

The Right Hon. Earl Grey.

G. GREY.

No. 2.

REPORT FROM MR. C. W. LEGG, SURVEYOR-GENERAL, TO HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.

NELSON, 5th March, 1847.

In order to carry out the instructions which I received from your Excellency at Wellington, on the 19th last month, I have the honor to report that I proceeded in the "Victoria" brig, in company with Mr. W. the New Zealand Company's Agent at Nelson, to Fort Underwood, where we arrived on the 20th, and made arrangements with some whalers to take us to the Wairau River.

In the course of the day I visited a party of Natives, some of whom had just returned from thence, and ascertained that I should not find any people residing there. They themselves were not in the habit of residing at the Wairau, but about six weeks previously twenty of their number went to cultivate potatoes, and land, as far as I could learn, planted from three to four acres. They also told me that no one had resided permanently in the district since the Mangere Tribe were conquered and taken captive from it by Nuhaunga and his people the Ngatiatia, except a party of Ngatiatia, consisting of about three individuals of the conquered tribe. These concealed themselves after the fight, but have gradually emerged from their hiding-places, and scattered themselves over the country. The Natives date the attack of Rauhuri about ten years back.

They likewise said that it had been the intention of the Natives to cultivate land at the Wairau at the time of the massacre, but that after it had taken place the district was considered so sacred that the Natives were unable to cultivate as much as they had lately done, they had sent messages to Rauhuri, who failed in seeing him, in consequence of his being taken prisoner by the Government; but Puata, in the absence of the other chief, gave them the liberty of doing what they required.
Mr. Jenkins, a gentleman connected with the Wesleyan Mission, who assisted me at the interview with the Natives, informed me it was his own and the general impression in the neighbourhood, that these people had recently gone to cultivate at the Waianra merely to strengthen, as they supposed, their claim to the land, having heard that the Europeans were again turning their attention to the district. Mr. Jenkins resides near the pa, and would be likely to know the sentiments of the Natives. Their former intention of cultivating, at the time of the massacre, had, it is supposed by Mr. Jenkins, the same object in view.

From all I could learn, it would appear that the Waianra District has been very little used or occupied since the expulsion of the Ngatiata Tribe.

The Native residing at Port Underwood, and with whom I had communication, consists of twenty men and about the same number of women belonging to the Ngatiata Tribe, and nine men and one woman of the Ngatiata Tribe. The latter are the slaves, but one of their number, Kairora, has acquired much influence, and may now be considered the head man of the little settlement, being referred to on all occasions. When I requested the people to tell me the boundaries of the Waianra District, he drew a plan of the coast on the ground, naming each place. I endeavoured to obtain the inland boundaries or limits; but the Natives and Kairora seemed never to have given them a thought, and looked upon my inquiries into this point as useless and troublesome.

The boundaries of the Waianra District are described by Kairora and the Natives residing at Port Underwood.

The same people gave me the following list of the owners of the district as described above. They are all of the Ngatiata Tribe. They have no particular portion set apart for each, but have a joint interest in the whole:—The consent required of Pakia, Nohorua, Marita, Thompson, Puka, Rangare, Nohorua (Waterhouse), Te Kano, Rangahua, Tangihanga, Pakeho, Pukoko, and Pihauku (or Te Waiwhana, a rebel).

In addition to the above list there are many who have claims, but these are the chief.

I was informed by the Natives of Port Underwood that the Ngatiata Tribe, from the Waitahi, in the Sound, have lately been cultivating on the Tua Marina, a branch of the Waianra River; and that they (the Port Underwood Natives) drove them off and destroyed their cultivations.

As the weather proved unfavourable for entering the Waianra River, and the men we had engaged to take us considered there might be no opportunity of doing so for some days, we abandoned the original intention of descending the valley of the Waianra River, and determined on entering it from its inland extremity, and following its course downward to Cloudy Bay. For this purpose we proceeded to Nelson, and set out, accompanied by three Natives and one of the New Zealand Company’s surveyors, Mr. Bridge, who had lately been engaged in cutting a line from the Nelson District into the Waianra.

We followed his route, which keeps on the west side of a range of mountains stretching to the south of Nelson, and separating the Waianra from the Waianra. A walk of forty miles brought us to a wooded pass leading into the former valley, and after ten miles brought us to the valley itself. Where we struck it, the breadth is not more than half a mile, but there is a gradual increase in width towards the sea for thirty-eight and a half miles, when it suddenly expands into a plain eighteen miles long by seven and a half miles broad.

Messrs. Cooper and Morse have established a sheep station at the head of the valley, and have about 3,000 sheep there.

The lower part of the Waianra near the sea is subject to floods in the winter, and will require extensive draining; but the plain is in general well adapted for agriculture. The upper valley and hills afford a most abundant pasture, and are better suited for that purpose than for agriculture.

The limits of the Waianra District, as described by the New Zealand Company’s Agent, are the same as given by the Natives; but it was not intended to use the great mass of mountains included within those boundaries. The quantity of level land available for agriculture and pasture is 228,000 acres, made up of the following items:—

- Great Plain, 80,000 acres, available for agriculture; requiring some draining near the sea.
- Waianra Valley, 28,000 acres, chiefly valuable for pasture.
- Knapsackau, 20,000 acres, ditto ditto.

In addition to this quantity, there are 240,000 acres of hill pasture besides an equal area occupied by mountain ranges.

Throughout the district, with the exception of the head of the valley and the vicinity of the sea coast, there is a great deficiency of wood for fuel or other purposes.

The means of communication between Nelson and the Waianra, by land, at present consist of a good cart road for seventeen miles, and a horse track for the remainder of the distance, thirty-three miles. The horse-track crosses four considerable streams, two steep ridges of hills, and passes through ten miles of forest. It could not be made passable for carts without much expense, and would most probably require to be changed for some miles of its course, if an undertaking of the kind were contemplated. This route strikes the valley of the Waianra at fifty-six miles from the sea, and at fifty miles from Nelson. Horses have been lately taken by it into Cloudy Bay down the Waianra, by keeping on the eastern side of the valley.

There is another approach to the Waianra, which leaves the town of Nelson and follows the Mihui River to the eastward, passes through the valleys of the Pukura and Kaituna, crossing the great plain at eleven miles from the sea. The length of this track is fifty miles. Up to the present time only two persons on foot, accompanied by a Native guide, have penetrated it, and they report it to be very difficult. It is very probable that another line, midway between these two, may be discovered through the mountains, at about forty-five miles south of Nelson; which would shorten the distance to the Waianra from fifty to thirty miles, and at the same time enter the valley at a convenient point for our purpose.

During my journey in the Waianra District, both in the valley and plain, I saw no traces of Natives, or of their cultivations. There were no indications whatever of their having occupied the land, except near the sea coast; and I could not discover the place they have recently cultivated. This I might
have been able to effect if I had not been disappointed in obtaining a guide from Port Underwood; my own Natives were strangers.

The journey from Nelson to Cloudy Bay, and returning, occupied ten and a half days, but with horses it might be accomplished in seven.

The sketch of the route which I have made, connecting Nelson and Cloudy Bay, showing the whole length of the Wairau Valley, I will forward to your Excellency in a few days, as I have not had time to copy it since my return on the 6th instant.

I have, &c.,

W. Logan,
Surveyor-General.

---

No. 3.

DEED OF CESSATION OF THE WALRAW DISTRICT.

Port Nicholson, 15th March, 1847.

These are the lands that we have given up to the Governor, Beginning at Wairau, running along to Kaiapara (To Kawaik) or Cape Campbell, running along to Kaikoura until you come to Kaipoi, with the exception of one and one only reserve of those lands that are kept for us, of which these are the boundaries: running from the north of the river Wairau until you come to Waihau, but the boundary takes a straight course along that river and into that river; but neither Kaipara or Te Hoare have been given up by us. The frontage of the part of the Wairau is reserved for us, with the exception of what belongs to the Governor, the extent of which is half a mile in front, which goes to him. The mouth and entrance of the river of Ta Mihana belongs to the Governor, according to the plan laid down on the map. One side of the Ta Mihana running all the way up one mile is the extent of the said land belonging to him, and if he should require a road to be cut through the side of Ta Mihana that is kept in reserve for us, we reserve within it should be done.

The payments that are for these lands is three thousand pounds, to be paid as follows, viz. on the Eighteenth day of March, 1847, six hundred pounds; 1st payment.

Eighteenth day of April, 1848, six hundred pounds; 2nd payment.

Eighteenth day of April, 1849, six hundred pounds; 3rd payment.

Eighteenth day of April, 1850, six hundred pounds; 4th payment.

Making three thousand pounds, which concludes.

Witnesses to signatures:

W. F. G. Servantes, Lieut. 6th Bgt., Interpreter to Forces.
Robert Jenkins.
William T. Christian.

$600.

Wellington, 15th March, 1847.

Receiced from Lieutenant W. F. G. Servantes, 6th Regiment, the sum of six hundred pounds, being the first instalment of the payment for the Wairau District and the other lands named in the deed of sale signed by us this day.

Witnesses to signatures:

Edward Lewis, Major, 98th Bgt.
Wm. F. Christian, Merchant, Wellington.
Robert Jenkins.

I certify that I interpreted the above receipt to the signers of the same in the presence of the persons who have witnessed their signatures.

W. F. G. Servantes, Lieut. 6th Bgt.,
Interpreter to the Forces.

ORIGINAL DEED in Maori.

Poneke, 16th March, 1847.

Ko nga whanae enai i tuku au e matou ki a te Kawana, ko Wairau he ariki ariki Kapaehau, ko Karaka, kore rawa ati Kaikoura, Kaiapara atu. Ko takai te wahi e enai whara e waiho au e matou. Ko nga rohe enai e te wahi au matou, kore mai i te tahi ki raro o te awhi o Wairau kore tonu mai ki Waikakaho takai ki tika te rohe i tara awhi ki tonu, ki tara awhi tau no ki te awhi. Ko Kaipara, ko te Hoare, kore enai whara e waiho e matou. Ko tahi o te wahi o Wairau o waiho au e matou, mo te Kawana a reira ki takai te hawe au e rawa o te rauhui te wahi i tatahi o te awhi i tatahi o te awhi. Ko te konutu awhi o Ta Mihana mo te Kawana hoki a reira i nga maka ki tahi ki te pukapuka nga rohe, na ko tahi o te awhi o Ta Mihana pata no ki ranga mono hoki, takai te awhi te rauhui o te awhi i tatahi o te awhi. Ki te mea mai ki te tahi o te awhi o Ta Mihana e waiho au e matou, e pa ariki ki te awhi o teri i teri o nga rawa.

E mono nga rau e homai a te ariki, a te tahi takai ma wai e nga rau o Meehe, 1847, E mono nga rau, a te tahi o nga rau o
Aperine, 1843, E one nga reu, a te tahi o nga ra o
Aperine, 1849, E one nga reu, a te tahi o nga ra o
Aperine, 1850, E one nga reu, a te tahi o nga ra o
Aperine, 1851.
Hei mea ka tonu nga mano ka whakamumua.

RAWRI KINGI (his x mark) TUATAHAE.
NE HEKEKE MATAE TE WHITIREI.
NO TAMAHANA TE RAIKARAKA.

Witnesses to signatures:

W. F. G. Seymour, Lieut. 6th Regiment, Interpreter to the Forces.
Robert Jenkins.
W. E. Christian.
W. A. McCleverty, Lieut.-Colonel.

No. 5.

No. 603, Receipt 2500.
3rd Installment of the Purchase Money named in the Deed dated 19th March, 1847.
Dated 18th April, 1848.

Dated at Wellington, in New Munster speeches, the 19th day of April, 1848.

RAWIRI PUARA.
MATENE TE WHITIREI.
TAMAHANA TE RAIDARARAKA.

I certify that I translated the above written receipt to the parties whose names are attached thereto.

Wellington, 19th April, 1848.
Signed in the presence of me—
J. D. Ormond.

No. 6.

No. 505, Receipt 2500.
4th Installment of the Purchase Money named in the Deed of Sale of the Waikato District, of 15th March, 1847.
Dated 1st May, 1848.

Dated at Wellington, in New Munster speeches, this 1st day of May, 1848.

TAMAHANA TE RAIDARARAKA.
MATENE TE WHITIREI.
RAWIRI PUARA.

I certify that I translated the above written receipt to the parties whose names are attached thereto.

Witnesses to the payment by Native Secretary, and signatures—
Alfred Drumm, Colonial Secretary,
Stephan Carkock, Collector H.M. Customs.

No. 7.

Letter from Wi Kanae and others to Major Richardson, attached to the﻿Tham of the Land in the Waikato District ceded by the Ngatiawa Tribe in March, 1847, signifying their approval of the boundaries laid off by Mr. Brunner.

E NOA A TE RICHHMOND—

Te ahi ko. Kua tae mui tou kairiri ki o matou ko Parena, pana i tauru i te rohe i Rongotai o tautu. Kua kake i tauru i tauru, kia tauru i rohe ki o matou whakaruru, ma kua tahi kia ko kia te ko te kapeka kia rauru, kia tahi kahi o matou inga roto. Ko te wahi pounamu i te wahi ko te whakatapu ko te waipare arutea ko te rohe. Hei ano o matou kupa ki a ko. Na matou,

Wi Kanae,
​

Witness to the signature—
[Translation.]

FRIEND MAJOR RICHMOND,—

Salutations to you. Your surveyor, Mr. Brunner, has arrived, and has surveyed the boundary about which we conversed with you. We have seen his survey, and the boundary is quite correct, according to our idea, as it has been laid down on the plan; and we have signed our names to it. The part coloured red is that which has been reserved for us; the white is that for the Pakehas; and the boundary is between.

This is all we have to say to you. By us,

Witi Kamar.
Hama.
Hakahaka Kaikoura.

Witness to the signature—
PLAN of the PLAIN or VALLEY of the WAIARU RIVER WITH THE VALLEYS

KAITUNA and WAITONI

Attached to Deed of Sale executed by

Ngatiwhawo tribe 30th March 1867.

Note: The portion coloured red in original is marked on this plan that it belongs to the

M. Pukahuya

March 30th 1867

[Signature]

[Map details and scale information]

[Legend and notes on the map]

[True copy]

[Signature]

[Deed of Sale information]
PAPERS AND DOCUMENTS RELATIVE TO THE NGAITAHU OR KEMP’S PURCHASE.

### Schedule

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Name of Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Aug. 25, 1848</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Respecting the desire of the Natives to dispose of their claims to land lying between the Nelson and Otago Blocks, and stating the manner in which it was proposed to arrange the purchase.</td>
</tr>
<tr>
<td>2</td>
<td>April 8, 1848</td>
<td>Ditto</td>
<td>Lieut-Governor Eyre</td>
<td>Giving instructions as to the mode of effecting the proposed purchase of the Ngaitsahu Block, and suggesting that Mr. Kemp might be employed in negotiating the matter.</td>
</tr>
<tr>
<td>3</td>
<td>June 19, 1848</td>
<td>Mr. H. T. Kemp</td>
<td>Private Secretary</td>
<td>Reporting his return from the Middle Island, and the steps he had taken to give effect to the Lieutenant-Governor’s instructions regarding the purchase of the tract of country lying between the Nelson and Otago Districts.</td>
</tr>
<tr>
<td>4</td>
<td>June 20, 1848</td>
<td>Ditto</td>
<td>Ditto</td>
<td>In continuation of his despatch of the 19th June, stating the arrangements made for the future payment of the balance of the purchase money.</td>
</tr>
<tr>
<td>5</td>
<td>June 21, 1848</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Desp of sale acknowledging payment of the first instalment of £500.</td>
</tr>
<tr>
<td>6</td>
<td>June 22, 1848</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Feb. 23, 1849</td>
<td></td>
<td></td>
<td>Translation of deed.</td>
</tr>
<tr>
<td>8</td>
<td>Feb. 26, 1849</td>
<td></td>
<td></td>
<td>Receipt for two instalments of the purchase money.</td>
</tr>
<tr>
<td>9</td>
<td>Mar. 10, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Reporting that the whole of the arrangements for the purchase of the Ngaitsahu Block had been satisfactorily carried out.</td>
</tr>
<tr>
<td>10</td>
<td>Mar. 26, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Transmitting copy of a despatch and enclosures received from the Lieutenant-Governor respecting the Ngaitsahu Purchase.</td>
</tr>
<tr>
<td>11</td>
<td>Mar. 26, 1849</td>
<td>Lieut-Governor Eyre</td>
<td>Governor Grey</td>
<td>Reporting the accomplishment of the mission entrusted to Mr. Mantell, and transmitting copies of his letters and reports.</td>
</tr>
<tr>
<td>12</td>
<td>Sept. 9, 1849</td>
<td>Mr. Mantell</td>
<td>Mr. W. Gibson</td>
<td>Reporting the state of his proceedings to the date of his letter.</td>
</tr>
<tr>
<td>13</td>
<td>Sept. 21, 1849</td>
<td>Ditto</td>
<td>Private Secretary</td>
<td>Reporting the Ngaitsahu Natives at Kaitapu were much excited at the news of land north of that place by the Ngétahous.</td>
</tr>
<tr>
<td>14</td>
<td>Nov. 8, 1848</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Reporting his return to Akaroa, and the steps he had taken to set apart reserves for the Natives of the district between the Peninsula and Kairiak.</td>
</tr>
<tr>
<td>15</td>
<td>Dec. 3, 1848</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Reporting that he had laid out reserves at Te Tumu, Te Uawa, and at Caroline Bay, Timaru.</td>
</tr>
<tr>
<td>16</td>
<td>Dec. 26, 1848</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Requesting that his return to Akaroa, in company with a number of influential Natives, may be reported to the Lieutenant-Governor.</td>
</tr>
<tr>
<td>17</td>
<td>Jan. 16, 1849</td>
<td>Ditto</td>
<td>Ditto</td>
<td>Acknowledging the receipt of Lieutenant-Governor’s despatch, communicating certain changes in the instructions received on the appointment to his present mission.</td>
</tr>
<tr>
<td>18</td>
<td>Jan. 30, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting the result of his mission to New Munster as Commissioner for establishing Native Claims.</td>
</tr>
<tr>
<td>19</td>
<td>Feb. 18, 1849</td>
<td>Colonial Secretary</td>
<td>Mr. Mantell</td>
<td>Acknowledging the receipt of his report of the 30th January, upon the subject of his late mission to the Middle Island, and reviewing the means in which the first instalment had been paid by Mr. Kemp.</td>
</tr>
<tr>
<td>20</td>
<td>Feb. 25, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Acknowledging letters of yesterday, and remarking on the state of petitionation alleged.</td>
</tr>
<tr>
<td>21</td>
<td>Feb. 26, 1849</td>
<td>Lieut-Governor Eyre</td>
<td>Mr. Fox</td>
<td>Informing him that the steps that had been taken for the adjustment of the points connected with the purchase of land in the Middle Island, instigated to Mr. Kemp, had been given effect to by Mr. Mantell.</td>
</tr>
<tr>
<td>22</td>
<td>Mar. 5, 1849</td>
<td>Governor Grey</td>
<td>Lieut-Governor Eyre</td>
<td>Acknowledging receipt of reports announcing the completion of the arrangements for the purchase of the Ngaitsahu Block.</td>
</tr>
</tbody>
</table>
No. 1.

DESpatch from His Excellency Governor Grey to the Right Hon. Earl Grey.

My Lord,—


Upon my recent visit to the Middle Island, the results of which were reported in my Despatch No. 20, of 17th March, 1848, I found, upon conversing with the principal chiefs of that Island, that they all expressed in the property of an immediate settlement of their claims to land upon the following basis:—that the natural reserves for their present and reasonable future wants should be set apart for themselves and their descendants, and should be registered as reserve for such purposes, and that they should then relinquish all other claims whatsoever to any lands lying between the Nelson and Otara Blocks, receiving for so doing such sum as might be arranged, in four annual payments.

Upon considering the number of Natives between whom the payment agreed upon was to be divided, it appeared to me that a total sum of £2,000, in four annual payments of £500 each, would be as large an amount as they could profitably spend, or as was likely to be of any real benefit to them.

Upon thinking over the subject, an arrangement of this kind appeared to me very desirable, as effecting an almost complete adjustment of land claims in the Middle Island, and as leaving so vast an extent of fertile territory, an unsettler field for the purposes of colonization, that I determined to adopt it.

On my return to Wellington from the Middle Island, I gave therefore the Lieutenant-Governor the necessary verbal directions upon the subject, and proposed, if possible, to send down the Surveyor-General to conduct the purchase; but when I reached Auckland, I found that I could not possibly dispense with the services of that officer. I therefore addressed to Lieutenant-Governor Eyre a Despatch, a copy of which I have the honor to enclose, requesting him to lose no time in carrying out the arrangements I was anxious to have adopted.

Lieutenant-Governor Eyre despatched Mr. Kemp to the Middle Island to execute this service, and I have now the honor to enclose copies of the following documents, which were addressed by Mr. Kemp to the Lieutenant-Governor, detailing the results of his visit to that Island.

I have also the honor to transmit the copy of a Despatch which Lieutenant-Governor Eyre has addressed to me upon the subject.

Unfortunately the Lieutenant-Governor was absent when I arrived at Wellington; I cannot, therefore, procure copies of the enclosures to this Despatch. It may, however, be sufficient for me to say, that although I regret Mr. Kemp should have departed from his instructions, I still do not view his proceedings in so unfavourable a light as the Lieutenant-Governor does; and I entertain no doubt that the transaction has been fairly and properly completed, and that the arrangements since adopted by the Lieutenant-Governor will satisfactorily dispose of any questions which might have resulted from any informalities in Mr. Kemp’s proceedings. I speak with the more confidence on this subject from my personal knowledge of the Natives concerned, and from my acquaintance with their views and wishes.

I think, therefore, that Her Majesty’s Government may, for all practical purposes, regard all Native claims to land in the Middle Island as now conclusively set at rest, with the exception of the portion of that Island in the immediate neighbourhood of Pouera Straits, and I do not apprehend that any difficulties will arise in respect to that portion of the country.

I think that your Lordship will find that the arrangement detailed in this Despatch fully bears out my views as stated in my Despatch No. 48, of the 15th May last.

The Right Hon. Earl Grey.

G. GAZZ.

No. 2.

DESpatch from His Excellency the Governor-in-Chief to Lieutenant-Governor Eyre.

Sir,—

Government House, Auckland, 8th April, 1848.

In reference to the anxiety which has been manifested by some of the Natives inhabiting the Middle Island to dispose of the tract of country lying between the districts purchased from the Ngatea Tribe and that purchased by the New Zealand Company, at Otara, I have the honor to acquaint you that I have found it impossible to dispose with the services of the Surveyor-General from this part of the Colony, and it will therefore be necessary for you to appoint some person for the purpose of extinguishing any title to the tract of country in the Middle Island lying within the limits before alluded to, which may, upon inquiry, be found to have vested in the Native Inhabitants thereof.

The mode in which I propose that this arrangement should be conducted, is by reserving to the Natives ample portions for their present and prospective wants; and then, after the boundaries of these reserves have been marked, to purchase from the Natives their right to the whole of the remainder of their claims to land in the Middle Island.

The payment to be made to the Natives should be an annual one, and should be spread over a period of four or five years. An arrangement of this nature will remove all possibility of the occurrence of future disputes or difficulties regarding Native claims to land in that part of the Middle Island.

The gentleman appointed to perform this service might perhaps be Mr. Kemp, but, if not that gentleman himself, Mr. Kemp must, as the service is one of great importance, be required to perform the duties in accordance with the instructions of the Government Commissioner; and as this is a service which must entail considerable expense and inconvenience upon Mr. Kemp, a fair travelling allowance must be made to him for the time that he is employed upon this duty. I should not consider an allowance of one guinea per diem as more than adequate remuneration for the expenses and difficulties he will be subjected to.

It only remains for me to press upon you the necessity of having the service executed with as little delay as possible.

I have, &c.,

His Excellency the Lieutenant-Governor, New Zealand.

G. GAZZ.
No. 3.
Mr. H. T. Kemp to Mr. Gibbison.

Sir,—
Agreeable to the Lieutenant-Governor’s instructions conveyed to me in your letter of the 25th April, I embarked on board H.M.S. “Fly,” for the Middle Island, to endeavour to acquire by purchase from the Natives the tract of country lying between Nelson and Otago Districts, and thereby to form one continuous and complete block of land.

I have now the honour to report for His Excellency’s information my return from that expedition, and it affords me much pleasure to be able to state, that the deed of conveyance comprising the district referred to, extending over to the West Coast, was duly executed by the Native chiefs on the twenty-third instant, in the presence and with the consent of the people; and I have every reason to believe that the whole of the proceedings gave them general satisfaction. The deed, together with its translation, and a map of the portion of land surrendered to the Company, I beg herewith to enclose.

In carrying out His Excellency’s wishes, I have been greatly indebted to Captain Oliver for his ready co-operation and advice, and to Mr. Kettle, the Company’s principal surveyor, for his assistance throughout the negotiations which took place, and I trust I may be allowed through you to tender those gentlemen my best acknowledgments for the same.

I propose in a separate letter to address you with reference to those portions of land already guaranteed to the Natives, as well as with regard to those that are hereafter to be reserved for them under the immediate sanction of the Government, and with reference also to the payment of the future instalments, having thought it desirable, in my dealings with the Natives sellers, to meet their wishes, without, I think, deviating from the general tenor of my instructions.

Under all the circumstances, I shall venture to hope that the arrangements I have made will meet with His Excellency’s approbation, and at the same time prove satisfactory to the Principal Agent of the New Zealand Company, on whose behalf the land has been acquired.

I have, &c.

William Gibbison, Esq., Private Secretary.

No. 4.
Mr. H. T. Kemp to Mr. Gibbison.

Sir,—
In continuation of my despatch addressed to you on the 10th instant, I beg to state, with reference to the reserves proposed for the Natives in the newly acquired block of land between the Kaikoura and Otago, that in obedience to the Lieutenant-Governor’s instructions their past and present cultivations have been guaranteed to them as expressed in the deed of sale; they are, generally speaking, of comparatively small extent. Beyond these I have not felt myself authorised in making any guarantee, and, with the consent of the people, have thought it better to leave the subject to be considered and decided upon between the Government and the Company, so soon as the survey of the district shall take place.

By a reference to the map accompanying the deed of sale, His Excellency will perceive that while there are several Native settlements upon the line of coast between Akaroa and Otango, the inhabitants are but small in number, and, as they are widely scattered, I saw there would be great difficulty in inducing them to concentrate into one or even two blocks. In the event, therefore, of it being decided upon by the Government that they should have blocks reserved adjoining each of the settlements, I think there would be then but little obstacle and little or no interference with the interests of the Company in the division and survey of the district.

The Natives clearly admit to have sold the whole of Banks Peninsula to the French Company. With the resident Natives chiefly at Port Cooper and Pigeon Bay, I did not think it advisable on this account to enter into any arrangements with regard to the reserves, and knowing also that the question was one at present pending between the English and French Governments. My impression is, that no definite reserves were made for them by the French Agent at the time of sale, and that they continue to occupy the cultivation grounds they formerly did, and without any limitation whatever.

As each of the Native settlements marked on the map the number of the inhabitants is also given, which may serve hereafter for a guide as to the quantity of land it may be thought desirable to set apart for their use; a matter which I believe may be easily and finally settled as the survey of the coast line progress.

I have, &c.

William Gibbison, Esq., Private Secretary.

No. 5.
Mr. H. T. Kemp to Mr. Gibbison.

Sir,—
In allusion to my letter of the 19th instant, and with regard to the arrangements for the future payment of the instalments for the land in the Middle Island, I beg to offer one or two suggestions. In the first place, I should explain that it was originally intended that they should be paid annually; but the first instalment of £250 being precisely sufficient to satisfy the claimants present, and rather that this should be a subject of jealousy or dissatisfaction amongst them hereafter, I have been induced to promise that the remaining three instalments shall, if possible, be paid half yearly. I did this after conferring with Mr.
Kettle, the Company’s principal surveyor, and I trust no serious difficulty will be found to result from this arrangement. With reference, then, to the manner in which the payments are to be made hereafter, I beg respectfully to suggest that one moiety should be paid over to the chief Tiko, at Akaroa, on behalf of his tribe, in their presence, and through the hands of the Resident Magistrate. In the same manner, the other moiety might be forwarded to the public officer at Otako, to be paid over to the chief Taurin, receipts in each case being taken for the amount. This plan would I think, not only be simple, but less expensive, and dispense in a great measure with the necessity of collecting the Natives together from the more distant parts of the country, and at the same time be a great convenience to those persons residing in the neighbourhood of each of the settlements mentioned. The above arrangement was proposed in the first instance by the chiefs themselves, in the presence and with the consent of their people, and is one which, I believe, would give general satisfaction.

I have, &c.

H. Tacy Kemp,
Commissioner pro tem.

William Gibbnsen, Esq., Private Secretary.

No. 6.

Ngatiha Tribe ceding claims within the
Territory of Canterbury and Otako.
Receipt of 2500 acknowledged.
19th June, 1849.

(Plan attached.)

Whakarongo mai e nga iwi kato. Ko matou ko nga Tangata iwi nga tangata o Ngatiha kua tuhi nei i o matou ingoa i o matou tohu kai te te iwi putaunui i te iwi o Te 12 o Hone, i te tau tahi. Matou whaia i o matou tohu kai te te iwi putaunui i te iwi o Te 12 o Hone.

No. 7.

Translation of Kemp’s Desp.

H.E., O all ye people! We, the chiefs and people of Ngatiha, who have signed our names and marks to this deed on the twelfth day of June, in the year of our Lord one thousand eight hundred and thirty-eight, consent to surrender for ever to William Wakefield, the Agent of the New Zealand Company, established in London—that is to say, their directors—and all our territorial possessions lying along the shores of this sea, commencing at Akaroa, at the land sold by Ngatiha, and at the boundary of Whakatu, and thence on to Otakou, and on till it joins the boundary of the block

Nga ingo o te kai tilto—

Whakatū:

R. A. Oliver, Commander. H.M.S. “Fly.”
T. Bull, Lieutenant.
John Watson, Resident Magistrate.
Charles H. Kettle, J.P., Principal Surveyor, New Zealand Company.
H. Tacy Kemp, J.P., Commissioner.
James Bruce, Surveyor.
purchased by Mr. Symonds; running from this sea to the mountains of Kaibiku, and on till it comes out at the other sea at Whakatipu Waitai (Milford Haven). But the land is more accurately defined on the plan. Our places of residence and our cultivation are to be reserved for us and our children after us; and it shall be for the Governor hereafter to set apart some portion for us when the land is surveyed by the surveyors; but the greater part of the land is unreservedly given up to the Europeans for ever.

The payment made to us is two thousand pounds, to be paid to us in four instalments. Paid to us this day, five hundred; in the next instalment, five hundred; in the next, five hundred; and in the last, five hundred; making a total of two thousand pounds.

And the signing of our names and marks, being the token of our full consent, is done at this place, at Akaroa, on the twelfth of June, 1843.

[Here follow the signatures]

No. 8.

HAFAROA, PEPORTE 22nd, 1849.—No teken ra i tuhuna ai ki a matou te tuarua o nga unanga rno a matou whakoa e mani nei te ahu (5000) erina rau paea mori i tuhuna nei ki a matou. Na Mr. Mantell, Commissioner for Extinguishing Native Claims, i tuhia ki a matou.

The mark of Taionro x
Pohon
John Kihau x
Juan Tiaha
Paea Tua
Tarawhata x
Rawiri Te Marau
Non Paka
John Bere
To One Te Uki
Rawiri Te Marau
Maturihuri
Kahu x
Ko Kaeatai
John Topi x
Paatu
Matamose Tiramorehu

KO OI E I OI TITI—
Robert Stokes, Captain, H.M.S. “Acheron.”
D. Ilyall, Surgeon, H.M.S. “Acheron.”
John Watson, Resident Magistrate.
J. W. Hamilton.
H. Scouland, Architect and Civil Engineer.
Walter Mantell, Commissioner.

[Translation]

HAFAROA, FEBRUARY 22nd, 1849.—On this day was paid to us the second installment for our lands herein described. Five hundred pounds (£500) were handed over to us. Mr. Mantell, Commissioner for Extinguishing Native Claims, divided the money among us.

[Here follow the signatures]

No. 3.

RECEIPTS OF THE THIRD AND LAST INSTALLMENTS OF THE PURCHASE MONEY FOR THE NGATIHOU BLOCK.

RECEIVED from Walter Mantell, Esq., Commissioner for Extinguishing Native Titles to Land in the Middle Island of New Zealand, the sums set opposite to our respective names, being the distribution of the third and the last combined instalments on the purchase of the Ngatihou Block, including the whole of the lands specified in the deed of conveyance executed at Akaroa on the twelfth day of June, 1843.

<table>
<thead>
<tr>
<th>Name of Chief to whom paid</th>
<th>Amount</th>
<th>Signatures</th>
<th>Date of Receipt</th>
<th>Witness to Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>KAORI</td>
<td>£30</td>
<td>KAORI</td>
<td>Otago, Dec. 27, 1849.</td>
<td>George Walthby.</td>
</tr>
<tr>
<td>HOKO KOROKO</td>
<td>£30</td>
<td>John Wesley Koroke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOHO KOROKO</td>
<td>£30</td>
<td>John Wesley Koroke</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NON PAKA</td>
<td>£30</td>
<td>NON PAKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>KEBAH</td>
<td>£50</td>
<td>A. C. Strode</td>
<td></td>
<td>Inap. Police.</td>
</tr>
<tr>
<td>TE MAKAROA</td>
<td>£50</td>
<td>TE MAKAROA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WIMORE EKIKAID</td>
<td>£50</td>
<td>WIMORE EKIKAID</td>
<td>A. C. Strode</td>
<td></td>
</tr>
<tr>
<td>TAI WEREKE TE KAHU</td>
<td>£30</td>
<td>TAI WEREKE TE KAHU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEKU</td>
<td>£30</td>
<td>Teku</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HORENOCA MAKORU</td>
<td>£20</td>
<td>HORENOCA MAKORU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEKU</td>
<td>£20</td>
<td>HORENOCA MAKORU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HORENOCA MAKORU</td>
<td>£20</td>
<td>HORENOCA MAKORU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TAIWAKA</td>
<td>£60</td>
<td>TAIWAKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HORENOCA HOKO</td>
<td>£60</td>
<td>HORENOCA HOKO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEKOUA</td>
<td>£50</td>
<td>TEKOUA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POHA</td>
<td>£40</td>
<td>POHA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TUKAKI TIKARU</td>
<td>£60</td>
<td>TUKAKI TIKARU</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TAIWAKA</td>
<td>£50</td>
<td>TAIWAKA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Names of Chiefs to whom paid</td>
<td>Tribes</td>
<td>Amount</td>
<td>Signatures</td>
<td>Date of Receipt</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------</td>
<td>--------</td>
<td>------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Te Oto Te Oti</td>
<td>Gatiwhawngaw</td>
<td>10</td>
<td>Te Oto Te Oti</td>
<td>John Topi</td>
</tr>
<tr>
<td>Tapu (Nga)</td>
<td>Gatiwhaw</td>
<td>10</td>
<td>Tapu</td>
<td>Taakau</td>
</tr>
<tr>
<td>Tamaiti</td>
<td>Gatiwhakanoa</td>
<td>10</td>
<td>Tamaiti</td>
<td>Gatiwhakanoa</td>
</tr>
<tr>
<td>Marineru Puhit</td>
<td>Gatiwhakanoa</td>
<td>10</td>
<td>Marineru Puhit</td>
<td>Gatiwhakanoa</td>
</tr>
<tr>
<td>Marineru Huna</td>
<td>Gatiwhakanoa</td>
<td>10</td>
<td>Marineru Huna</td>
<td>Gatiwhakanoa</td>
</tr>
<tr>
<td>Memuru Whakapiti</td>
<td>Gatiwhakanoa</td>
<td>10</td>
<td>Memuru Whakapiti</td>
<td>Gatiwhakanoa</td>
</tr>
</tbody>
</table>

Witnesses to the marks—
Henry Joseph.

Witnesses to the signatures and distribution at Akaroa, 28th December, 1849—
John Watson, Resident Magistrate.
Octa. Corrington.
Henry Joseph.
T. Lidwood.
Walter Mantell, Commissioner.
Messrs.

No. 10.

Despatch from His Excellency Governor Grey to the Right Hon. Earl Grey.

My Lord,—

In reference to my Despatch No. 89, of the 26th of August last, reporting the arrangements I had directed to be carried out for the extinction of the Native title to the tract of land in the Middle Island lying between the blocks of land purchased for the Nelson settlement and the block purchased for the Otango settlement, I have now the honor to state that, although official information has not yet reached me regarding the final adjustment of those details of this purchase which relate to the survey, and defining the reserves kept for the use of the Natives, yet I have received information, which I believe to be authentic, that the whole of those details have now been conclusively and satisfactorily adjusted, so that the land question, so far as nearly the whole of the Middle Island is concerned, has been set at rest; and with respect to that portion of the Middle Island which is not yet purchased, I will take care that at the earliest possible period arrangements are made for the final settlement of the Native claims in relation to that tract of country, as well as of those which are connected with Stewart's Island.

I think it will be a source of great satisfaction to your Lordship to find that so large a tract of country of the most fertile description is thus unrestrainedly open to British enterprise, without any possibility of any of those embarrassing questions arising in relation to it between the European and Native population, in reference to titles to land, which have been a source of much loss and embarrassment to the settlers in the North Island.

I have, &c.,

G. GREY.

No. 11.

Despatch from His Excellency Governor Grey to the Right Hon. Earl Grey.

My Lord,—

I have the honor to transmit for your Lordship's information the copy of a Despatch and its Enclosures, No. 19, of the 16th March, which I have received from Lieutenant-Governor Eyre, reporting the completion of the purchase of a large tract of territory, which, in my former Despatches, I informed your Lordship that the Government with the concurrence and at the desire of the late Principal Agent of the New Zealand Company, were endeavouring to procure for that body.

I have at the same time transmitted a copy of my reply to the Lieutenant-Governor of New Munster.

I have, &c.,

G. GREY.
No. 12.

Lieutenant-Governor Bray to His Excellency Governor Grey.

Sr.—

In my Despatch No. 89, of the 6th September, 1848, I informed your Excellency of the steps I had taken for the purpose of completing those details of arrangement connected with the Middle Island Purchase which had been left unaccomplished by Mr. Kemp, and I at the same time forwarded to your Excellency a copy of the instructions given to Mr. Mantell, the gentleman nominated for the above-mentioned purpose, for his guidance.

(2) I have now the honour to acquaint your Excellency that Mr. Mantell has accomplished his mission, and to transmit copies of his various letters and reports relating thereto, together with a copy of the letter I addressed to the New Zealand Company's Principal Agent, in transmitting to him copies of Mr. W. Mantell's reports. From these reports your Excellency will gather that Mr. Mantell met with considerable difficulty in consequence of the incomplete manner in which Mr. Kemp's arrangements relative to the purchase were made, and with some opposition from the two chiefs who under those arrangements had been the recipients of the whole of the first instalment, but who, under the more equitable plan adopted by Mr. Mantell, would only receive such amount as they were respectively entitled to from a consideration of their rank and claims, the number of Natives within the block purchased whom they represented, and other similar points bearing upon the equity of the case.

(3) After Mr. Mantell had announced to the Natives the plan of distribution he proposed, and had informed them that he was prepared to pay the money, the two chiefs above referred to, Tikao and Tamaoro, with some of their followers, objected to receive the proportion allotted to them, and came up to Wellington for the purpose of seeing me on the subject. This interview took place in the presence of Mr. Kemp (who acted as interpreter), of Mr. Mantell, and of the New Zealand Company's Principal Agent, besides some of the Natives who were favourable to Mr. Mantell's plan, and among them a young chief named Taka, of higher rank than Tamaoro, who had been altogether overlooked in the payment of the first instalment, but whose claims and rights were fully acknowledged by all the Natives, and among the rest by Tamaoro and Tikao. Upon a full inquiry into the cause of dissatisfaction by the two latter, I found them so frivolous and so unsupported by any real grounds, that I at once decided upon sanctioning the arrangements made by Mr. Mantell; first, because the Natives who were opposed to it admitted that it was just; and secondly, because it was quite within the terms of the arrangement made by Mr. Kemp to the effect that the subsequent instalments after the first should be apportioned by the Government so as to meet the claims of all who, upon further inquiry, and upon a further knowledge of their respective rights and interests, should appear to be justly entitled to consideration. The reasons for this decision are more fully given in the letter of the Colonial Secretary to Mr. Mantell, dated 13th February, 1849, included among the accompanying correspondence.

(4) The opportunity of H.M.S. "Acheron" going to the vicinity of Akaroa enabled me again to conclude the payments; and although I have not since had an opportunity of receiving any communication direct from Mr. Mantell, I have heard incidentally, from a gentleman who was present at the payments, that no difficulty had occurred, and that all the Natives, including the objecting ones, had acquiesced in the decision, and had received their respective proportions. I may add that it is not improbable that Tikao and Tamaoro only asked to have the payment made in Wellington, but of course I could not consent, as by far the larger number of Natives were waiting for its distribution at Akaroa.

I have, &c.

F. FYFE.

No. 13.

Mr. Mantell to Mr. Gisborne.

Sr.—

Some of the Natives belonging to this district having informed me that they are about to leave for Port Levy, and to proceed thence to Wellington in a Maori schooner, I take the opportunity of briefly replying to you, for the information of His Excellency the Lieutenant-Governor, the present state of my proceedings up to this time.

His Excellency, whilst at Akaroa, became in some measure aware of the difficulties I had to expect in this district; I regret to say they have far exceeded my expectations.

In addition to the repudiation of the sale, I have had to encounter every obstacle which the Natives could possibly throw in my way. I have, however, at last succeeded in pointing out the limits of a reserve ample enough for the whole number of the Natives of the district (from 250 to 300), and it has been approved by all present except one, who addressed a letter to the Lieutenant-Governor at Akaroa. This man, Mereham, has to-day, after the general consent to my arrangements, stopped the survey by throwing down the poles, and threatens to throw down the rest to-morrow, persisting in denying my right to fix any limits to land for the Natives here. In the event of his thus again resisting the progress of the survey, I shall be obliged to content myself with the survey in its present state, and to return to Akaroa to-morrow, to commence my journey southward, as I feel that a survey by force, even against some small concession or intimidation, would be inconsistent with my duty to Her Majesty's Government.

The time will not allow me to enter further into details: I have only to add that I understand that the Natives to whom I intrust this letter are going to Wellington to assure their right to the land between Kaipotai and Kaihora, included in the Nelson Block sold by the Ngatiowas. From the account given by this tribe, I am much inclined to doubt the rights of the Ngatiowas to sell the land in question; but I may mention that, at the last payment for the Ngatiowas Block, the men appointed by the
Commissioner for the Kaiapoi District, was by the Natives allotted to the land between Waimakariri and the Peninsula, and to that from Kaiapoi Pa to the Waipara, purposely to exclude the plain between Waimakariri and Kaiapoi, and to give them some sort of ground for asserting that they had not sold it.

I have, etc.,

W. Mantell.

No. 12.

Mr. Mantell to the Private Secretary.

Sir,—

Akarua, 26th September, 1843.

At my late conference with the Ngatiata Natives at Kaiapoi, I found them much excited at the cession of land north of that place by the Ngatiata. I told them plainly that my mission had no reference to the land in question, but that I would willingly forward to His Excellency the Lieutenant-Governor an abstract of their statements. In redemption of this promise I have the honor to request that you will convey to His Excellency the following note of their assertions on that occasion: First, that the land was never occupied by the Ngatiata; second, that the Ngatiata have never ceased to dwell at or near the disputed land; and third, that subsequently to the last instead of the Ngatiata, the Ngatiata successfully conducted an expedition against that tribe which has not been avenged.

As I am aware that a deposition of Natives, sent to lay the matter before His Excellency the Lieutenant-Governor, has arrived in Wellington, I feel that it would be unnecessary to make further comment on a subject only accidentally connected with my mission to this Island.

I have, etc.,

W. Mantell.

No. 15.

Mr. Mantell to the Private Secretary.

Sir,—

In obedience to the instructions of His Excellency the Lieutenant-Governor, I do myself the honor of reporting my return to this settlement, after having set apart reserves for the Natives of the districts stretching from the Peninsula to Kaiapoi, the boundaries of the Ngatiata Purchase.

In my communication of the 8th instant, I have alluded to the objections thrown in my way by the Natives. Next to their vexations and dishonest attempts at repudiation, was the refusal of some to give the names of places and tribes, and the misnaming of them by others, although I eventually succeeded in obtaining correct names of rivers, woods, &c. Their aversion to give information respecting the tribes or hapus, added to the suspicion with which my every act or word was watched, made me think it unwise at this time to attempt to fill in the names forms. This duty, so far as regards the Peninsula and northward to the boundary, I have now intrusted to a Native, Tihao, who has engaged to complete it by my return.

I was accompanied to Kaiapoi by many Natives belonging to that place, but now residents at Pigeon Bay, Port Levy, and Port Cooper. These Natives say that they almost all belong to Kaiapoi, a statement which, from all I can collect, I believe to be true as of many as 200. They said that the Peninsula having been sold to the French, they would no doubt be compelled to leave it when ordered to do so by the proprietors. They therefore wished sufficient land to be reserved in their native district to allow them at once to gather their numbers together there. Their demand was for a tract of country bounded by the Kawanui and Waimakariri Rivers, to extend thence, of the same width, across the Island to the West Coast. I have, with their almost universal approbation, reserved for their use a block containing about 500 acres of bush, and 2,100 acres of open land, old houma gardens, and swamp, excelling all their cultivations and kaikas.

In my final report I shall dwell more fully upon the great difficulties with which I have had to contend, and to which I have now as briefly alluded, as I conceive, in such as interim reports as I may from time to time send you, His Excellency will simply wish to be informed of my progress in my mission, and the number and extent of the reserve I may have set apart for the Natives.

I have further guaranteed to the Natives that the site of the ancient pa "Kaiapoi" shall be reserved to Her Majesty's Government, to be held sacred from both Europeans and Natives. Circumstances which it is unnecessary now to narrate, rendered it undesirable for me to wait for a survey to be made of this pa, which I therefore, with the universal consent of the Natives, disposed of in the manner before described.

On my return from Tutuaro Sound (my encampment on the Onera), I remained a day at Waimakariri, on the south bank of which stream were resident two men, Tauni and Tipora, with their wives and families, about ten individuals in all. In consideration of their abandoning their dwelling-place, and the two marae which these people cultivated, I at their request, after considerable deliberation, reserved an ancient pa of about two acres on the north bank, explaining to them that they must not regard this reserve as made for themselves alone, but for the Natives generally, and that they with the others must regard the No. 1 Reserve as their land for cultivation, and the second, Kaimai, as the site of a kaika in which they may one day reap the advantage of neighbourhood to an English settlement, should one be formed on the Waimakariri. I have in each of those cases left plans with the resident Natives, and others with Solomon Jenikau for the greater body of the Natives in the district now residing on the Peninsula.

In conclusion, I may add a few words on the country over which I have lately travelled. I remarked that in the plain near the sea the open land is in general remarkably good, with, of course, occasional swamp, and a very small proportion of forest, and even this is in process of destruction by the fires which run annually at least across the country. As Port Cooper is the nearest harbour to the
plain, and almost destitute of wood, I made a point on my return of visiting a hill at the head of the port where I was informed that coal was to be found.

As on all the surrounding mountains I had found none but igneous rock, I was much inclined to doubt the correctness of my information, and was not surprised to find the supposed coal to be a bed of decomposed chalcedony.

I propose leaving tomorrow for the South, and hope to arrive at Okabon in about two months.

I have, &c.,

WALTEh MANSELL.

Mr. MANSELL to the PRIVATE SECRETARY.

Sir,—

To Panacanan, Waitaki, 8th November, 1848.

An opportunity offering of sending a letter overland to Akaroa, I do myself the honor of reporting to you, for the information of His Excellency the Lieutenant-Governor, my progress to this date, though the probability that a letter sent by this route may be lost will compel me to do so in a more summary manner.

Since the date of my last communication I have laid out reserves at the To Tuanutu, To Umnaka, and at Caroline Bay, Timaru, the latter consisting of a few houses in exchange for kites and cultivations situated in that part of the bay most valuable as a landing-place.

From the Umnaka I wrote to the Natives of this place, who had gone to Waikouaiti, requesting them to return; but my letter not having reached them, I found on the river, on the 23rd of October last, that all the kites were deserted, and food procurable. I therefore proceeded to a sheep station thirty miles south, and sent another letter to the Waitaki Natives, with a deputation from whom I again reached this place yesterday evening.

I have to-day arranged a reserve, of which the survey is nearly completed, and shall to-morrow visit a small tract of land, on which the Natives have a portion for a stockade. The next day I hope to resume my journey south.

When the reserves south of Waitakouai shall be completed, I propose visiting Okabon, to ascertain the exact position of the south-eastern boundary of this purchase, and returning thence to arrange the remaining reserves.

To the above outline of my proceedings I would add an earnest request to be favoured with the presence at Akaroa of some gentlemen thoroughly conversant with the Native language, that I may avail myself of his assistance in drawing out the deed of sale, which I wish to have as perfect as possible.

I have, &c.,

WALTEh MANSELL.

Mr. MANSELL to the PRIVATE SECRETARY.

Sir,—

Akaroa, 23rd December, 1848.

I have the honor to request that you will communicate this letter to the Lieutenant-Governor, my return to this place, accompanied by fourteen Southern Natives, including several men of considerable rank and influence who were not present at the last payment.

Since my last communication, I have set apart a small reserve at Kaiaua, a larger one at Moeraki, and after much difficulty another at Waitakouai. In the last case I was compelled to leave, subject to the Lieutenant-Governor's decision, the exclusion from the reserve of about 50 acres occupied and cultivated by Europeans; on this case I shall have the honor to report on my return to Wellington.

After the settlement of the reserve, Mr. John Jones made his selection of 500 acres in those blocks. I approved those selections, and they were marked by Mr. Wells on the map of the district.

Having made reserves at Purakaunui for the Natives resident there and at Purakura, I reached Okabon, Port Chalmers, on the 8th of December. While here I was engaged in meeting the Natives, and selecting those who should accompany me to Akaroa. I had also occasion to bring under the notice of the Acting Resident Magistrate the necessity of the Europeans supplied the Natives with spirits, a practice which caused much inconvenience.

On the 21st instant, having arranged with the agents of the schooner "Dolphin" to leave myself and party at Akaroa, I left Okabon, and reached this place this afternoon. On my arrival I received from the Resident Magistrate the letter of His Excellency the Lieutenant-Governor, which I have had the honor to acknowledge, and was informed by that gentleman that the money for distribution to the Natives had not arrived. As there is now a great concourse of Natives in this place, I shall direct them to remain quietly at the various kites until the appearance of a vessel from Foveaux, when they will reassemble at Akaroa.

I have, &c.,

WALTEh MANSELL.
In accordance with the first and second clauses, I shall inform the Natives that the payments will be made half-yearly, and shall not submit the new deed for their signature.

As all the reserves are defined, it is unfortunately out of my power to carry out His Excellency's wishes as expressed in the last clause; yet I trust that it will be found that I have in every case given such consideration to the present and prospective necessities of the Natives that the Lieutenant-Governor will see little cause to regret that the reserves should have been finally arranged prior to my receipt of His Excellency's letter.

I have, &c.

WALTER MANSELL.

No. 10.

Mr. ManSELL to the Private Secretary.

Akaroa, 13th January, 1849.

As a vessel has at length arrived from Wellington ("Hector," sailed 9th January) but does not bring any official communications for me, I fear that my letter per "Dolphin" may not have reached your hands; I therefore again do myself the honor of reporting, for His Excellency the Lieutenant-Governor's information, my return to this port on the 32nd of December last, in company with John Topi, John Kilian (son of Tahauki), and twelve other Southern Natives. In addition to the contents of my last letter, I would beg you to represent urgently to the Lieutenant-Governor the absolute necessity that I should, by the first opportunity, be made acquainted with His Excellency's intentions relative to the payment of £500, due to the Natives on the 12th ultimo. The Natives from Aeroura have now been here more than two months, those from Moeaki and Waiaki six weeks, and those who came with me more than three weeks; they are so impatient to return, that I can with difficulty induce them to remain.

I had promised that if the money did not arrive by the 12th instant, that I would dismiss them, and that this instalment should be distributed with that due in June next. This is an arrangement which they would gladly see carried out; and should they now require me to redeem my promise, I shall not think myself justified in refusing to do so.

Should this communication reach the Lieutenant-Governor in time, I would request His Excellency's sanction of the above arrangement, as I am satisfied that in the present disposition of the Natives, consequent on the long delay, the payment cannot be distributed now without causing disturbance.

I have, &c.

WALTER MANSELL.

No. 20.

Mr. ManSELL to the Hon. the Colonial Secretary.

Wellington, 30th January, 1849.

I do myself the honor to transmit to you, for the information of His Excellency the Lieutenant-Governor, the following report of my mission to New Zealand as Commissioner for extinguishing the Native claims on the block of land there purchased by Mr. Commissioner Kemp.

Having left Akaroa on the 16th August ultimo, I proceeded down the Peninsula to the northern part of the plain, and reached the boundary, Kaiapoi, on the 1st September. The Natives (Kaiapoirians) who had accompanied me had meantime returned and embroiled me to the utmost of their power. At the old pa of Kaiapoi, I listened to many speeches from the Natives actually residing on the plain, complaints that they had received no portion of the last payment. They also continued to assert obstinately, as they had previously done at Akaroa, that the land between Waimakariri and Kaiapoi had not been sold by them, and that they were resolved to retain it.

On the afternoon of the 2nd September, the meantime having been spent in this mission, I commenced laying out the Tahauki Reserve, all the Natives present agreeing to the limits as I described them. On Monday the survey was continued, but closed early, in consequence of the misconduct of a young man named Metahau,—who afterwards returned to the camp, set fire to our hat, and was about to attack me with a tomahawk when he was stopped by the Natives. At daybreak the next morning he left for the Peninsula, and the survey concluded on the 7th. Having left a rough plan with Aperahama Te Ake, at Taanuwha, we returned to Waimakariri, and set out a reserve (No. 2) of about five acres, a part of which we gave to Tainui.

I further promised the Natives that the old pa, Kaiapoi, should be reserved by the Government, so that neither Native nor European might dwell there. It is about four acres in extent, and unsurveyed.

Leaving plans of the reserves (copies of which I enclose) 1 and 2 at Port Levy, with Horatius Irvine, to be delivered to Paora Tua on his return from Wellington, I reached Akaroa on the 15th of September.

Kaiapoi, prior to its destruction by the Ngatiore and their allies, having been the head-quarters of the Ngatiore, and the source from which issued successively the war parties which, proceeding throughout the Island, virtually exterminated the Ngaihoamoe, the land around it has been densely populated, and the proprietorship is more minutely divided than in any other place which comes within the sphere of my operations. Now, however, there are, including the Kaiapoi census, not more than forty resident Natives between Kaiapoi and the Wairariki. Most of the Natives resident at Port Levy and other places on the Peninsula belong to but do not occupy the district. Those, and (at their request) those living at Moeaki and Mirihiku, I considered in making the Tukutuki Reserve. The principal men appear to be Paora Tua, of Port Levy, and John Taka, of Akaroa; the latter, however,
questionable rank, but raised into a notice by a little knowledge of the English language, and a great amount of suavity towards Europeans.

Having completed my preparations, I set out southward, and reached the small wretched settlement of Tatuvu on the 23rd September, passing Waiteera, a small kaha within the French claim. Here I had very little difficulty, Tatuvu and Maopo, the principal men of the place, having secured a share of the payment at the last distribution. Accordingly, after taking the census, I set apart the reserves (8 and 4) in the accompanying map; one or two gardens being the limits to be abandoned. I cannot here omit to mention that Maopo's house, court-yard, and gardens were distinguished by great cleanliness and neatness, and that he conducted himself extremely well. Then Tai, another leading man, was the only person who seemed to take an interest in the transaction.

On the 30th September we left Te Tanumuru, and on the 3rd October reached the settlement of Waitumuru, having travelled with Tarawau, the principal man among the resident Natives. At the last payment Tarawata and his father Te Bebo received £200 between them, and this appears to have been the only sum received by the resident Natives here. He complained much of Honomona Poho, whom he accused of having appropriated an undue share of the payment for this place. During Mr. Worsley's visit to the surveys of the three reserves, this place (of which it is a part) under Tarawata's influence appeared unquestionably the poorest. He is a man of great determination, and, when roused, of unanswerable temper, but conducted himself throughout my intercourse with him in the best manner.

He much wished me to reserve for him a special interest in Te Timaru, where, he said, was a cliff of coal; but as he refused to accompany me to the place, I was compelled to confine my already expressed refusal to do so.

Hence, in company with Tarawata and Taiaroa, we started on to Timaru, and, after a day's detention by bad weather, surveyed the reserve at Caroline Bay. There is no water here in summer save in a hole called Pounuihine, I guaranteed to the Natives the right to fetch water therein in common with Europeans.

The inhabitants of this part of the Waitutau are lodged with Tarawata. The boundaries claimed by the Umatatua people are from Hakatere to Matukiki, south of Timaru. The former is undisputed, but the southern part to the aroha Pakuru (near to Umatatua) is claimed by Honomona Poho and John Topi. I have myself, after carefully weighing the conflicting evidence, placed Tarawata's boundary at that to include, Maumuru whaling stations, leaving the water lands beyond to be included in the Waitutau payment.

On the 20th October we took leave of Tarawata, and with Taiaroa resumed our journey south, and on the 23rd reached Te Kapa's kaha, Tauenuva, near the north bank of the Waitati; this kaha consisted of two huts, a waka, and a grave. The Natives were all absent, not having returned from Waitianga, whether they had gone with a kahikatea. We had depended on replenishing here our stock of food, but found none. I therefore next morning sent the party inland to make Mokihinui, opposite to a kaha, about six miles distant, which some men sent to explore had discovered overnight, and returned down the river. It was here that our road under Waitutau was surveyed.

This I did to avoid, if possible, the necessity of crossing the river. Rejoining the party, we safely passed the stream on a mokihina, found the opposite kaha deserted, and no provisions but two baskets of potatoes. An Huruturu, the chief of Waitati, was expected daily. I remained here a day, and then proceeded about thirty miles south, to Mr. Suliside's station at Otopopo, where, having sent an express to the Natives, I remained till the 3rd November, when Honomona Poho came as representative of Huruturu, determined their position and their offers, and promised them for the present to continue to use those marae which they stated they had on the way further.

The plans of the above reserves I gave to Huruturu at Waitianga.

So far as I could learn, the Natives living on the Waitangi received no share of the last payment, Honomona Poho having taken what little was allotted to that place.

On the 10th we reached Tanaku, where I reserved the land mapped in the accompanying plan. The head man here, Rewiri Te Mawara, who has the Waitouri plan, is a quiet and well-behaved Native.

On the 14th November we reached Moeraki, and found them quiet, one of the owners of the place, who had come in consequence of my letter. He expressed himself much pleased at having received an acknowledgement for his land, none of the last payment having reached the right owners at Moeraki. He further wished the reserve to include all the valuable part of the beach, and all the Europeans' houses and buildings. As, however, he is a quiet and rather well-disposed Native, with much of the chief about him, I succeeded in bringing him round to my views; and on the 21st Mr. Wills finished the survey of the reserve (No. 15) of which I enclose the plan. As this reserve contains no timber fit for saving, I went a day to a wood called To Kari, a few miles north of Moeraki, where we set off ten acres of timber for the Natives—the land to remain the property of the Government.

The reserve of Rēkaiwhaka occupying Moeraki belongs to this place, the major part having come from Kiiapou and the Waipori country. They appear to be dying off very fast, which may perhaps be attributable to the stagnant pool which in winter collects in their pa, and to the want of fresh water, there being none within a mile or two of the kaha. From one of them, the Wekeyan teacher and principal man of the place, Matiaha Tarawata, I received the greatest support and assistance. Their cultivations are very extensive and very well managed. On my offering them their choice, whether to remain or go to the Kiiapou Reserve, they preferred to stay, as they had buried many of their relations at Moeraki.
The plan of this and of other timber reserves are with Mathews. My own copy I enclose.

Leaving Mr. Wills at Moraski to complete the maps, I set out on the 23rd for Otage, to endeavour to procure Colonel Godfrey's reports; but failing to obtain them, I returned to Waikauti, which I reached on the 28th, having, while at Otage, despatched a boat to Ruapuke for John Topi and Kihau.

The next day I took the census, which I enclose; and the following day visited the cultivations, which were as inferior to those of Moraski as the houses to those of the same place. The next day I set out with the Natives to arrange such a line round the Europeans' houses and gardens as might if possible include them all, without interfering with the Native cultivations. Finding them in some places, it was impossible, I resolved to omit some, if I could thereby obtain a more regular boundary. The Natives, however, declared that nothing but Mr. J. Jones's house and garden should be excluded from the reserve, and that all the rest must be left for them. I tried an experimental line with tax stalks, leaving out many white men's cultivations, but not in the slightest degree interfering with those of the Natives. On its reaching a rise above Mr. Jones's paddock, Kihau became furious, and Horeroma and Esorero (Tommy Benchmark) unwilling silent. As they would not let me remain, and adjourned the affair till the last day, begging them to consider well in the meantime. The next day at daybreak the whole population went off to cultivate, and would not attend to business. This was a plan of Horeroma to prevent me from completing my arrangements with them. At the Mission Station is close to the pa, I asked the missionary, Mr. Creed, whether he would prefer that it should be included in or left out of the Native Reserve; he begged me, if possible, to include it in the reserve.

On the 26th, the 30th, we continued running a line across the neck of "Island Point," and then, with the Natives, proceeded to mark off that part of the river frontage uncoloured in the accompanying plan. This done, I led the Natives to the spot where our Friday's conference ended, and asked them if they were or were not prepared to consent to my boundary there. They replied that their wish to expect the Europeans was unchangéd. I then told them that, as I could not be a party to what appeared to me so unjust, I should be glad to have the question of the extent of land to be set out of the reserve decided by His Excellency the Lieutenant-Governor, and that I would now point out the extreme limits of the reserve. These had been sketched on the maps by Mr. Wills; and after I had carefully explained them we set out for Green Point (Te Awakahia) with Kihau and Rawiri Te Murua, whom the Natives deputed to attend us. Here we marked distinctly and truly the beginning and direction of the boundary line.

The next morning we went inland and laid out the inner line. Solomon Poho and the rest pretended to be much excited at the direction of this; but as I was aware that their dissatisfaction was merely signed, and well knew that the slightest concession would only increase their demands, I adhered to the line I had proposed.

On the next day, Wednesday, 6th December, Mr. John Jones made his selection of 2,500 acres in three blocks. Having approved of his selections, they were marked and certified by Mr. Wills on the 9th. The same day I went down to Port Chalmers.

On the morning of the 8th I explained to the Natives the reserve map, and delivered it to Horeroma; and the same afternoon reached Pukauakau by sea, and took the census.

The Waitangi Natives, throughout my negotiations with them, showed a sudden determination to appoint the settlement of Europeans near them. Korako, the principal man, is now too old to exert himself much, and Horeroma behaved with a gravity unrivalled, not only interfering actively in the proceedings. The principal leaders, therefore, were Horeroma Poho and Kihau; the latter an excitable mercenary man, scarcely able to view anything seriously; the former one of the most stern civil-disposed Natives I have met with, reminding me much of John Tiko, though, from his youth, less audaciously insolent. I must own, however, that throughout the transactions they seemed to be advocating not so much their own views as those of some person by whom they were influenced.

So unnecessary to them is the piece of land reserved for His Excellency's decision, that I must communicate to the Home Secretary that the Natives were contented.

Harakura, a fine old man whom I met at Waitangitangi, deplored Horeroma Poho to receive the Waitemangi payment; the latter not wishing to go to Akaroa, Kihau and Rawiri Te Murua were appointed by him, and the other Waitangi Natives to accompany me.

At Pukauakau I had no difficulty. In company with Naia Poho, the principal young man there, we laid off the reserves in the accompanying map, a plan of which was given to him; and reached Otage on the 9th December, where I remained until the 21st. On the 12th, John Topi and John Kihau arrived from Ruapuke in a fine sealing boat. I gave them, on behalf of the Government, some provisions, and sent them on to the Macri haka at the Heads. A few days afterwards I visited that place to hear and adjust a land dispute between Tiaaroa and the Southern Natives, and to make out the list of those who should accompany me to Akaroa. After waiting there two or three hours, Tiaaroa, Kaiatari, and Pohi arrived perfectly drunk; the former threatening to kill me unless I took some of the latter with me. On my return to Port Chalmers I wrote on the subject to the Sub-Inpector of Police, requesting him to endeavour to ascertain and prosecuted the person who had supplied the spirits to the Natives.

On the 21st December, having arranged with the agents of the schooner "Dolphin" for passages for myself and fourteen Natives, I embarked for Akaroa, and reached that place on the 23rd. On inquiry of the Resident Magistrate, I was informed that the money for the second instalment, paid on December 26th, had not paid; accordingly I despatched to the various settlements in the Province, to solicit the daily expected arrival of the funds for distribution.

There received from the Resident Magistrate a communication from His Excellency the Lieutenant-Governor, dated October 9th, 1848, altering in some points the instructions on which I had been acting.

As the time was on, the Natives, tired of waiting so long away from their homes, repeatedly urged me to start that night. I agreed that the delay should be resented, but as I was under the necessity of paying the instalment, I would, if they wished it, leave on that day, and request the Lieutenant-Governor to suspend the payment of this instalment till June, 1849, or even until December following, so that the sum
might be larger; and further ask His Excellency to allow the portion due to the proprietors of the southern part of the block to be distributed at Otage, a place more central to the whole than Akaroa.

The schooner "Hasloquin" arriving on the 13th January rendered it unnecessary to carry out the first part of the above arrangement, as I learned from the master that the money was to have been brought to Akaroa on that day had I the honor to receive your letters announcing the issue of £500 to the Sub-Treasurer at Akaroa, and I was informed by him of its safe arrival.

I immediately sent off an express to summon the Natives; and on the 20th sufficient were assembled to discuss and settle sundry disputed claims to land in the southern portion of the block. Having fixed Monday, the 22nd, for hearing what the Kaitopoi Natives might wish to say, and the evening of the same day for the payment of the interest on that day repurchased, both Mr. Tehuhiwi (Kaiapoi) invited by John Tika, behaved with their usual insouciance. At this I was not surprised, having always found it the case with Natives with whom there is any considerable proportion of returned slaves.

I took an early opportunity of informing them that in justice to the other claimants and in obedience to my instructions to make what I might deem a fair and just division of the money, I could not allow to them such disproportionately large a share as they, taking advantage of the Commissioner's ignorance of the comparative extent of their claims, had secured at the last distribution. On their requesting the information, I told them I had fixed the amount for them at £70, and that for Te Taua at £50.

On this they indulged in a series of most excited speeches, urged on by their ringleader, John Tika, aided by a war speech from Taaroa, in which he called on them not to mind Queen or Governor, but, like the Southern Natives, to fight for the land. Immediately after he came to me in private and begged me to attach no importance to what he had said, and offered, if I would add £40 to the £20 for Te Taua, to make the whole affair run smoothly.

I should state here that I had, immediately on my arrival, secured the cordial assistance of the Resident Magistrate to prevent the sale of intoxicating liquor to the Natives. I have been credibly informed that after the last distribution there were at one public-house two men constantly employed from morning until night in selling the Natives liquor with spirit. Had the Natives then had the free use of spirit liquor, the consequences might have been deplorable.

Finding that the Kaitopoi Natives insisted on claiming the same amount as they had received from Mr. Kemp (£50), I proposed to distribute the payment to the representatives of other places, but was immediately told by Tika, Te Uki, Rakaaro, and the rest, that if I did so they would attack the Southern Natives. The next day the latter, one after another, came forward and requested me to give them the amount due to them; but as the turning point remained in the same resolve as the day before, and it was very clear that a disturbance must ensue if I persisted in making a partial payment, I abandoned the idea, and in the afternoon arranged with the well-disposed men that they should remain as Akaroa until the Lieutenant-Governor's decision on the question should be known, while I, taking with me John Topi of the Southern, and Matua Tiraramo of the Northern Natives, would at once set out for Wellington.

On my returning to Kaiapoi, I informed the Resident Magistrate to supply provisions to the Natives who had accompanied me from Otage; pointing out the necessity of a second supply should an unexpected long interval occur before the receipt of His Excellency's decision.

The next morning (24th January) I left Akaroa and reached Pigeon Bay: here a north-east gale detained us during the rest of the day, my intention was, if possible, to overtake the cutter "Fly," which I could not hope to do by land. A southerly gale having sprung up in the night, we embarked next morning in my launch and crossed the gale although dangerous; we came up with the "Fly" at the heads of Port Cooper, underough for Wellington.

Mr. Fox, the Principal Agent of the New Zealand Company, having politely consented to receive us on board, we embarked, and reached Wellington on Saturday morning, 27th January, ultimo, when I had the honor, through the Private Secretary, of reporting my return.

Had I arrived at Akaroa the opportunity of returning, I might have been detained more than two months.

I conclude for more easy reference a tabular arrangement of the population, reserves, and payments, which I hope will be found sufficiently clear.

I must, in accordance with my promise to the Natives, prefer their request that the June and December instalments be paid together in December next. According to the present arrangement, the sum for division is so small that no individual can hope by fair means to obtain sufficient to invest in any way likely to be of permanent use to him. I would also strongly recommend that Mr. Commissioner's proposition to pay part of each instalment in Otage and part in Akaroa be carried out; from Timaro northward at the latter, and from the same place southward at the former.

My confidence in the justice of my proposed partition of the instalments is unshaken by the dishonest conduct of Tiko and the Ngatihaunui, and I cannot conscientiously recommend any deviation from it; any more, I am convinced that such deviation would tend to render inevitable these disturbances, which, should my decision appear just to His Excellency the Lieutenant-Governor, a firm support of it would render impossible.

I transmit herewith certain letters intrusted to me, and belonging to the department of the Private Secretary. I would request you to do me the honor of returning them to the proper office.

My mission is now ended; but in submitting to the Lieutenant-Governor this account of my fulfillment of the duty intrusted to me, I would beg you to express to His Excellency my thanks for the manner in which he has treated me, and my high sense of the confidence reposed in me; and I cannot conclude without advertizing to the unshrinking zeal and unwearying energy of the Surveyor who accompanied the expedition, my late fellow-traveller Mr. Willis; and I would beg to be permitted to record here my thanks to that gentleman for the cordial support and valuable assistance which I have invariably received from him through all the difficulties and privations which we encountered.

I have, &c.,

The Honorable Colonial Secretary,
Commissioner for Extinguishing Native Claims.
## Table of Population, Reserves, Payments, &c., No. 18 Block, August, 1848, to January, 1849.

<table>
<thead>
<tr>
<th>No. of Reserve</th>
<th>Population</th>
<th>Name of Place</th>
<th>No. of Acres Reserved</th>
<th>Native Plan, given to</th>
<th>Native Reserve</th>
<th>First and Second Instalments</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>First.—June 12th, 1848.</td>
<td>Second.—Mr. Mantell's Allocat.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Amounts given to</td>
<td>Amounts to be received for Distribution by</td>
</tr>
<tr>
<td>No.</td>
<td>M. F. M. F.</td>
<td>Total</td>
<td>M. F. M. F.</td>
<td>in each District.</td>
<td>in each Reserve</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>2 4 3 2</td>
<td>16</td>
<td>346</td>
<td>2310</td>
<td>8 M. 2 F. 2 M. 2 F.</td>
<td>£260</td>
<td>Tikao, No resident. Native received any but Tikao</td>
</tr>
<tr>
<td>2</td>
<td>4 3 5 2</td>
<td>16</td>
<td>83</td>
<td>3296</td>
<td>2 M. 4 F. 2 M. 4 F.</td>
<td>£100</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>3</td>
<td>2 3 4 3</td>
<td>16</td>
<td>73</td>
<td>296</td>
<td>3 M. 6 F. 3 M. 6 F.</td>
<td>£300</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>4</td>
<td>2 3 3 2</td>
<td>16</td>
<td>23</td>
<td>120</td>
<td>5 M. 3 F. 5 M. 3 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>6</td>
<td>11 2 2 3</td>
<td>21</td>
<td>326</td>
<td>600</td>
<td>12 M. 6 F. 12 M. 6 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>8</td>
<td>6 3 1 2</td>
<td>16</td>
<td>56</td>
<td>439</td>
<td>9 M. 4 F. 9 M. 4 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>10</td>
<td>3 3 1 2</td>
<td>16</td>
<td>46</td>
<td>239</td>
<td>7 M. 3 F. 7 M. 3 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>11</td>
<td>3 1 1 2</td>
<td>16</td>
<td>24</td>
<td>212</td>
<td>6 M. 1 F. 6 M. 1 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>9</td>
<td>9 1 2 2</td>
<td>21</td>
<td>23</td>
<td>213</td>
<td>6 M. 1 F. 6 M. 1 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>12</td>
<td>9 1 1 1</td>
<td>16</td>
<td>23</td>
<td>249</td>
<td>6 M. 1 F. 6 M. 1 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>13</td>
<td>12 1 1 1</td>
<td>16</td>
<td>36</td>
<td>312</td>
<td>10 M. 1 F. 10 M. 1 F.</td>
<td>£400</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>14</td>
<td>9 1 1 1</td>
<td>16</td>
<td>24</td>
<td>249</td>
<td>6 M. 1 F. 6 M. 1 F.</td>
<td>£200</td>
<td>By Tikaone</td>
</tr>
<tr>
<td>15</td>
<td>9 1 1 1</td>
<td>16</td>
<td>36</td>
<td>312</td>
<td>10 M. 1 F. 10 M. 1 F.</td>
<td>£400</td>
<td>By Tikaone</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>677</td>
<td>2049</td>
<td></td>
<td>£800</td>
<td></td>
</tr>
</tbody>
</table>

*Estimated belonging to District.

WALTER MARTELL, late Commissioner.
No. 21.

The Hon. the Colonial Secretary, New Member, to Mr. Mantell.

Sr.—

Colonial Secretary's Office, Wellington, 18th February, 1849.

I have the honor, by direction of the Lieutenant-Governor, to acknowledge the receipt of your report of the 30th ultimo, upon the subject of your late mission to the Middle Island, and to inform you that having recently had an interview, in the presence of Mr. Kemp, and of the New Zealand Company's Principal Agent, with those of the Nootka Natives (Taloras and Tikao) who objected to the distribution of the second instalment of the purchase money of lands lately acquired in this Province, as proposed in the schedule accompanying your communication, His Excellency finds—

1. That the Natives Taloras and Tikao acknowledge, that when Mr. Kemp, in paying over the first instalment for the purchase of the Middle Island, handed the total amount in two equal sums and delivered one of each to them, he only did so in order that they might afterwards substitute it amongst the whole of the Natives interested, according to their respective interests and rights. They were, however, unable to engage a portion of the whole body, and were expected to act fairly and equitably in distributing the money received.

2. His Excellency has learned that many complaints had arisen of the manner in which the first instalment was appropriated by Tikao and Taloras, and that several influential claimants had nothing whatever, and others not so much as they might reasonably have expected. Among those who had received nothing was the principal chief of the Middle Island, a young man named Topi, who is of higher rank than Taloras himself, and who, being personally present at the interview, confirmed and supported the truth of the complaints that had been made. Even Taloras and Tikao themselves admitted that this distribution made by them was not just, but excused themselves by saying they intended to amend it the next time.

3. The objecting Natives distinctly stated that they did not dissent to your proposed distribution because it was unjust or unfair; nor would they, when repeatedly asked to urge any valid objection, do so; their reply being simply, that Mr. Kemp had paid the whole £500 to them formerly, and that they wished the other instalments to be paid to them in the same manner.

4. His Excellency found from Tikao's own acknowledgment, that the claims of himself and those he represents extend very little way into the block purchased by Mr. Kemp, but on the contrary are chiefly on the north side of the northern boundary of that purchase, and consequently are partially within the block purchased by Sir George Grey from the Ngatiore; their interests therefore, in the block acquired by Mr. Kemp, are comparatively small.

5. Though Mr. Kemp paid the first instalment to the two Natives Taloras and Tikao, no mention is made in the deed of sale or otherwise of the subsequent instalments being paid in the same manner; but, on the contrary, Mr. Kemp distinctly provided that the Government should, out of the next instalments, have the power of considering and satisfying any other claim which might be brought to exist and be proved to be valid.

From these considerations, and from the advantages you have enjoyed in personally traversing the whole district and visiting all the Natives along the southern side of the purchase, the Lieutenant-Governor directs me to say that he has no hesitation in at once adopting your recommendation, and authorizing you to carry it out,—a view in which His Excellency is happy to say the New Zealand Company's Agent fully concurs.

The Lieutenant-Governor therefore requests that you will be good enough to prepare to return to Akaroa in H.M.S. "Acheron," taking with you Topi, Tikao, and such other two Natives as you may wish to accompany you. The steamer, I am told, is expected to sail some time to-day. You will receive the same rate of remuneration for your services as when you were first ordered to proceed on the duty, namely, 20s. per diem from the date of your embarkation to that of your return to Wellington, passages by sea being provided for you at the expense of Government.

As the cutter "Fly" is at present at Port Cooper, and is expected to return to Wellington in a few weeks after the arrival of the "Acheron," His Excellency has directed me to say that Mr. Fox has kindly offered to take charge of the papers and other property you may bring back from this place; you are therefore requested to use your utmost endeavors to be ready to return by that opportunity.

His Excellency also instructs me to call your attention to the fact that you have not yet stated how you recommend the two last instalments should be paid, whether in the same proportions, and to the same individuals as on the present occasion, and to request you will not overlook this important point in your next report. The two last instalments can, His Excellency observes, be paid in one, in the month of December; should the Natives have no objection, instead of in June and December.

I have, &c.,

Alfred Domett,
Colonial Secretary, New Member.

No. 22.

Mr. Mantell to the Hon. the Colonial Secretary.

Sr.—

Wellington, 14th February, 1849.

In doing myself the honor of acknowledging your letter of yesterday, I beg respectfully to draw your attention to the paragraph which announces the rate of remuneration to be allowed to me while completing my duties as Commissioner for the Extinguishment of Native Claims, and request you to move His Excellency to reconsider that part, should I succeed in proving the justice of an alteration.

The request that I would prefer is, that my pay may commence at the same rate from the day after my arrival in Wellington (25th January); and in support of this request would urge the following reasons:—

That although, on my return to Wellington, having considerable and important private business to transact, I would gladly have resigned the completion of my duties to other hands, it is considered
pecuniary loss, consented to return to Akaroa, under the impression that my salary would be continuous to the close of my mission; that during the time which has elapsed since my return I have been almost daily employed in the service of Government, to an extent sufficient to prevent me from attending to private affairs of much importance to me in more than a pecuniary point of view. And again, I would remind you that if I had, in accordance with my instructions, waited at Akaroa an opportunity of returning thence, I should probably have remained there, still on pay, for an indefinite period; that unsolicited by such consideration of private advantage, I adopted these steps which I thought best calculated to promote the public service; crossed the Peninsula embarked in an open boat during a gale, and only thus could have succeeded in overtaking the "Fly," and reaching Wellington when I did.

I might further mention, that in my original instructions the possibility of my return to Wellington prior to the completion of my task was contemplated; but I feel that I may, on the above representations, confidently leave the case for your favourable consideration.

I have, &c.,

WALTER MANTELL.

No. 23.

His Excellency Lieutenant-Governor Exr. to Mr. William Fox.

Sir,—

Government House, Wellington, 28th February, 1849.

Adverting to my letter to the late Colonel Wakefield, of the 1st of August, 1848, in which I gave a brief outline of the general steps I proposed taking (in accordance with the wish expressed by him in the communication of the 24th June, 1848) to complete the adjustment of these points connected with the purchase of land in the Middle Island which had been left indefinite or incomplete by Mr. Kemp, I have now the honor to inform you that these steps have been carried out, and that the Commissioner who was appointed by the Government for the purpose (Mr. W. Mantell) has returned to Wellington, after crossing overland the whole eastern boundary of the purchase, and setting apart and defining such reserves as he considered necessary for the present and future wants of the Native, upon seeing and consulting with them on the spot. I beg to enclose copies of all the correspondence, and the documents relative to Mr. Mantell's mission, commencing with the instructions given to him for his guidance, and bearing date the 2nd August, 1848, but which were somewhat modified in one or two particulars by direction of His Excellency the Governor-in-Chief, bearing date 4th of October, 1848; each comprising all Mr. Mantell's letters and reports, and finally closing with the Colonial Secretary's letter of the 13th February, 1849, directing Mr. Mantell to carry out and complete the payment of the second installment, as recommended in his final report of the 13th February, 1849.

The instructions and reports will so fully put you in possession of the views entertained by the Government, and of the manner in which Mr. Mantell endeavored to carry out these views, that it is unnecessary for me to enter further into details now. I cannot, however, dismiss the subject without recording the high opinion I entertain of the very careful and zealous manner in which Mr. Mantell has discharged the difficult and laborious task assigned to him, and of the very able and cordial assistance and co-operation afforded to him by Mr. Wills.

I have, &c.,

W. Fox, Esq.

No. 24.

His Excellency Governor Exr. to His Excellency Lieutenant-Governor Exr.

Sir,—

Government House, Auckland, 26th March, 1849.

I have the honor to acknowledge the receipt of your Despatch No. 19, of 10th March last, reporting for my information the completion of the arrangements for the purchase of a large tract of territory in the Middle Island, which the Government was anxious to acquire for the New Zealand Company.

2. The arrangements made by your Excellency appear to me to have been in every respect judicious, and it is very fortunate that so satisfactory a settlement of this important affair should have been arrived at. I think also that Mr. Mantell appears fully to have merited the encomiums you have bestowed upon the careful and zealous manner in which he has executed the duties intrusted to him.

3. I observe in Mr. Mantell's letter to the Colonial Secretary of the 30th January, that he states that he had been credibly informed that after the last distribution of the payment to the Natives there were two men in one public-house constantly employed from morning to night in serving the Natives with spirits. This statement appears to have been made to Mr. Mantell in such vague terms that it is probably exaggerated, but I think that the subject requires further inquiry from your Excellency; and I should hope that, if so gross and open a violation of the law which is rigidly enforced in other parts of the Colony has taken place, you may find it possible to punish the offenders, either by fine or depriving them of their license. The authorities should also be required to explain how it happened that they allowed such a violation of the law to take place without proceedings being instituted against the offenders.

I have, &c.,

G. Greer.

His Excellency the Lieutenant-Governor.
COPY OF MR. MANTELL'S REPORT ON THE GEOLOGY OF A PORTION OF THE MIDDLE ISLAND.

SCHEDULE.

<table>
<thead>
<tr>
<th>No. of</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sept. 25, 1849</td>
<td>Sir George Grey</td>
<td>Earl Grey</td>
<td>Transmitting copy of a Despatch received from the Lieutenant-Governor, covering a copy of a report by Mr. Mantell on the geology of a portion of the Middle Island.</td>
</tr>
<tr>
<td>2</td>
<td>Aug. 9, 1849</td>
<td>The Lieut.-Governor</td>
<td>Governor Grey</td>
<td>Forwarding Mr. Mantell's Report.</td>
</tr>
<tr>
<td>3</td>
<td>May 28, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting on the geology of a portion of the Middle Island.</td>
</tr>
</tbody>
</table>

No. 1.

DESPATCH FROM GOVERNOR GREY TO EARL GREY.

My Lord,—


I have the honor to enclose, for your Lordship's information, the copy of a Despatch I have received from the Lieutenant-Governor of New Monster, enclosing a very interesting report of Mr. W. Mantell upon the geological formation of that portion of the Middle Island in which the new colony of Canterbury is about to be formed.

It is only necessary for me to add, that my own observations upon the geological formation of the Middle Island have led me to the same conclusion as is expressed by Lieutenant-Governor Eyre, that when that Island is better known, and has been more carefully examined, it will be found to contain a large number of valuable mines.

I have, &c.,

G. GREY.

No. 2.

THE LIEUTENANT-GOVERNOR TO THE GOVERNOR-IN-CHIEF.

Sir,—


I have the honor to forward to your Excellency a copy of a very interesting report from Mr. Mantell, relative to the geological formation that part of the Middle Island traversed by him in passing from Akaroa to Otago.

I would more particularly call your Excellency's attention to the descriptions given in page 26, and to the list of specimens mentioned at the end of the report. These specimens I have seen, and find them exactly corresponding to similar ones found in the Barrossa Ranges, in South Australia, near which several mines of copper and lead exist; and I have no doubt but that when the Middle Island comes to be better known and carefully examined, valuable mines of both copper and lead will be discovered there.

I have, &c.,

E. SMITH.

No. 3.

MR. MANTELL TO THE COLONIAL SECRETARY.

Sir,—

Wellington, 26th May, 1849.

In compliance with the directions of the Lieutenant-Governor, I do myself the honor to transmit to you, for His Excellency's information, the following notes on that part of the Middle Island traversed by me in my late capacity of Commissioner for the Extinction of Native Claims.

I must first, however, remind you that the fulfilment of my official duties so fully occupied my time, that I never had it in my power to diverge from my route to investigate Native accounts, however interesting; yet, though my own observations have been so limited, I hope I may be able to furnish some information which may assist more competent persons in the exploration of the country.

The first part of the purchase which came under my observation was the Grand Plain, extending from Double Corner to the Aitaramahi. As the general features of the coast line of this magnificent district are pretty uniform, I shall speak of it as a whole, describing afterwards what local peculiarities struck me as worthy of mention.

Its geological structure, so far as I had the opportunity of observing, was this—a loamy clay, of thickness varying from nothing to 10 feet, on a substratum of gravel slightly coherent, and...
composed principally of pebbles of schist, jasper, and white, yellow, and pink quartz. Besides a gradual rise inland of which I have been informed, the plain also rises gently towards the south; thus, while at Te Rauau it is 5 feet, at Rakatea it is 30 or 40 feet above the sea level.

Along its junction with the Peninsula, there are occasional isolated sandhills, and further north the Waiamarama are composed of a bed of pebbly sand, under which, at a depth of about 10 feet, lies a deposit of wood of various kinds, probably the drift-wood brought down by the river when its mouth was some miles inland of its present position: when the Peninsula was an island, and the plain covered by the forest of which so little now remains. A similar deposit is said to exist near where the Waikirikiri discharges itself into Waikora. The wood from each of the above mentioned places is so little changed as to be used by the Natives for stringing.
I cannot remember more of the nature of this bed than that it was of a pale buff colour, distinctly stratified and dipping south about 40 degrees. Mother Robinson’s Tooth is a column of it resting on trap. It consists almost entirely of decayed vegetable matter, and is studded on its surface with roots of small trees in their natural position and buried to the very ground. It is light and elastic, and emits a strong disagreeable smell. From the quantity of fax it contains, it appears to have been a swamp.

At Bluefish Bay and Purakanumui, the principal country of Otago begins; at the latter place, boulders of serpentines of various shades are plentifully scattered on the sandsills. These have afforded an interesting example of the gradual filling up of harbours when situated in a curve of the coast exposed to a prevalent wind, and unprovided with any rise of sufficient strength to keep open a serviceable channel. Like Otago, each has a dry sandspit running from its western nearly to its eastern head; this is deposited by the great action of the sea and the drainage from the land forms a barrier from behind which the detritus brought down from the mountains is tranquilly deposited, to form a small flat through which the streams will flow to the sea. Bluefish Bay, situated in the very sight, is farthest advanced towards the state to which Purakanumui and others similarly situated are inevitably tending.

In conclusion, I may be expected to offer a few remarks on the capabilities of the country. Of the plain I have already spoken in my letter of the 15th September ultimo. Of the correctness of the favourable opinion which I then expressed I have no reason to doubt. Perhaps there is in the South, even portions with less swampy land. With the exception of spots where the gravel has been torn by denudation, the soil seems excellent, and, where cultivated by the Natives, produces most satisfactory crops.

Wood, though generally distant, is nowhere out of reach; while grass, with frequent groves of “oil” covers the plain in every direction, and offers no obstacle to the plough. As far as Wakamaru, grass is the usual growth—forest to any extent being rare.

The whole country from Tiura to Waikouaiti is admirably suited for immediate occupation with stock. The northern part being perhaps the best adapted for sheep.

The following anchorages have been frequented by vessels—Caroline Bay, at Tiura, called by the Natives, Te Upokitori-kaitiwhakapipihiu; Cameron Point; the Bight Muraki, or, more properly, that part of Oa-kakara called the Tryworks; and Waikouaiti. Boat landing-places are more numerous. The River Umukaha is visited by trading boats from Otago. Waikouaiti, when open, is occasionally entered; but with great difficulty from the force of the stream, which keeps the water fresh three or more miles out to sea.

In all the northern part of my journey I saw no district which was not highly fitted for settlement, and I feel confident that so fine a country will not much longer be allowed to remain in its present desert state.

In illustration of some parts of the above, I do myself the honor to forward a few specimens, of which I enclose a list.

I have, &c.,

WALTER MANVILLE,
Late Commissioner for Extinguishing Native Claims.

The Hon. the Colonial Secretary, Wellington.
CORRESPONDENCE RELATIVE TO THE COMPLAINTS OF MATIHA TIRAMOREHU, REGARDING THE INSUFFICIENCY OF THE RESERVES SET APART FOR HIS TRIBE IN THE MIDDLE ISLAND.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Officer</th>
<th>Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dec. 24, 1849</td>
<td>Colonial Secretary</td>
<td>Mr. Mantell</td>
<td>Transmitting complaint of Matiha Tiramorehu, of insufficient reserves at Moeraki.</td>
</tr>
<tr>
<td>2</td>
<td>Jan. 24, 1850</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Forwarding a schedule of reserves.</td>
</tr>
<tr>
<td>3</td>
<td>June 13, 1850</td>
<td>Lieutenant-Governor Eyre</td>
<td>Mr. H. Thay Kemp</td>
<td>Instructing him to inform Matiha that the question cannot be resisted.</td>
</tr>
</tbody>
</table>

No. 1.

The Hon. the Colonial Secretary to Mr. Mantell.

SIR,—

Colonial Secretary's Office, Wellington, 25th December, 1849.

I am directed by His Excellency the Lieutenant-Governor to transmit to you, a communication lately received from Matiha Tiramorehu, complaining of the insufficiency of the reserves set apart for his tribe in the Middle Island; and at the same time to request that you will instil into the minds of the Natives the sacredness of all obligations they may enter into, and that such arrangements, once made, cannot be altered.

With respect to the Kaiapoi, the Natives themselves brought the subject before the Governor-in-Chief, when at Wellington, many months since, and were distinctly informed that no changes or new arrangements could be made or allowed.

In furnishing your report, it will be as well to mention the extent of the reserves at Moeraki, and the number of Natives, so that it may appear how far the complaint of their insufficiency is correct or otherwise.

I have, &c.,

ALFRED DOMETT,
Col. Secretary.

Walter Mantell, Esq.

Enclosure No. 1.

To Governor Eyre—GREETINGS,

Moeraki, 22nd October, 1849.

LISTEN to those my words relative to the part (of land) which was made sacred to yourself and Governor Grey by Mr. Mantell, also to the part which was reserved for the Maoris: The owners of the land are discontented with the portions allotted to them by Mr. Mantell.

You are aware when Mantell first commenced his work in this place, his first mistake was at Kaiapoi, viz., he would not listen to what the owners of the land wished to say to him; they strenuously urged that the part that should be reserved for the Maoris ought to be large, but Mantell paid no attention to their wishes; it was thus he did wrong in the commencement of his work, and continued to do all his arrangements in regard to the portions which were reserved for the Maoris.

It is in consequence of this I write to you, my esteemed friend, Governor Eyre—pay attention. The principal cause of all the disputes in this Island is that of your having granted the payment of a part of our Island to the Ngatiata, it is this which has caused all the disputes amongst the Natives of this Island: but you, Governor Eyre, are aware of the cause of all the disturbance of that Island, it is the same here, and there will be long be rupture among us.

These are my reasons for writing to request of you that the boundaries of Moeraki may be extended, that we may have plenty of land to cultivate wheat and potatoes, also land where our pigs, cattle, and sheep can run at large: it will not be long before we purchase both cattle and sheep, and what land have we now in the small pieces which are reserved by Mantell for us fit for such a purpose; such allotment which Mantell has set aside for the Maoris is about as large as one white man's residence.

We are conjecturing who could have given Mantell his instructions so to act; do you, Governor Eyre, think that I should tell him to reserve for the Multitude a piece of land only large enough for one man? No; moreover the Natives will never consent to it. There are many people, and but a small quantity of land for them. I imagined that it was by your instructions that Mantell reserved such small patches for the Maoris. I also remember the conversation that Governor Grey had at Akaroa with the Natives of Port Levy; Ngatiata spoke to the Governor concerning the payment for Kaukoua and Kaiapoi; he (the Governor) told the Ngatiata Tribe that (the payment for) Kaiapoi should not be given to the Ngatiata, but that for Kaukoua was already gone to them. Upon which To Uki said to the Governor, Do not hide from us what you may have wrongly done with our place or country, but tell us that we may all know what you have done. After which conversation Governor Grey asked Ngatiata; if he would part with some of his land; upon which the Ngatiata tribe hearing, gave their consent that Kaiapoi should be given up to the Governor, relying implicitly on his former promises; but no, it the payment for Kaiapoi] has been given to the Ngatiata. When Mr. Kemp
came here, he placed the boundary of the Ngatiotes' land at Kaiapoi; this mistake caused our hearts to be darkened. Since then Mantell arrived here; and on their (the Maoris) seeing the portions which he reserved for them, began to quarrel.

However, I considered at that time that it was for all Ngatiato to complain; but now, I myself will speak. The white men's transactions are bad,—there are in consequence great disturbances already amongst the Natives of this Island; therefore I earnestly request that some person may be sent here directly to alter all the boundaries, Moeraki included; that there may be a large block reserved for us, is the constant topic of our conversation. Extend the boundaries at Moeraki.

This is the commencement of our speaking (or complaining) to you, Governor Eyre; and although you should return to England, we shall never cease complaining to the white people who may hereafter come here.

But you, Governor Eyre, are aware of the cause of the disagreement between us; we, that is Topi, Tiaaroa, Tikao, and myself, perceived at the time we were at Port Nicholson, when Tiaaroa and Tikao spoke to you, that you did not thoroughly understand them; you interrupted them. Besides, they did not say all they intended to say, because you told us to be quick and return with our vessel to the Moeraki; in consequence of which I anticipated the quarrels. The greater part of our people did not understand the meaning of that conversation, but I understood it. I saw the meaning of those words, I carefully remembered their purport, and on my arrival amongst our tribe I explained to them the substance of your conversation with Tikao and Tiaaroa.

Therefore, let not the white people say it was through any fault of the Maoris that this disturbance has arisen,—no, it was yours; still, should I ever hear anything wrong, I will let you know of it. This is all I have to say.

From
MATTIAH TIRAMOREREH.

No. 2.

Mr. Mantell to the Hon. the Colonial Secretary.

Wellington, 24th January, 1850.

I have the honor to acknowledge the receipt this day of your letter of the 24th December, ultimo, enclosing one from Mattiah Tiramorereh, relative to the Moeraki and other reserves, which with its translation I return.

In obedience to your directions, I forward a table showing the proportion between population and land reserved at the places in question. By this you will perceive that the wants of the Natives are amply provided for in the reserves which I made, the boundaries of which, at the time of the survey, were in each case approved by them.

WALTER MANTELL.

The Hon. the Colonial Secretary.

Late Commissioner.

Enclosure in No. 2.

Return showing the proportion of Population to Reserves at Kaiapoi and Moeraki.

| No of Reserves | Situation | Population
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Tushivi</td>
<td>2,040</td>
</tr>
<tr>
<td>2</td>
<td>Kaiaumai</td>
<td>5</td>
</tr>
<tr>
<td>12</td>
<td>Moeraki</td>
<td>500</td>
</tr>
<tr>
<td>*12b</td>
<td>Do. To Kuri</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3,145</td>
</tr>
</tbody>
</table>

Average nearly eleven acres to each individual.

WALTER MANTELL.

Late Commissioner.

* The land at To Kuri was, together with an additional ten acres adjoining, subsequently purchased by the Natives, and grants have been prepared in favour of the under-mentioned persons—viz., for the original section, Mattiah Tiramorereh, Rewai Ta Mamate, Fia Tipe, Nekiahi Wairiwai, and Arama to Waeke Kakeh; and for the adjoining section, in favour of Rewai To Maio, Nekiahi Macham, and Mohikiri Hape. - ALEXANDER MACRAY, Commissioner.
No. 3.
Lieutenant-Governor Eyre to Mr. Kemp.

Mr. Kemp,—

13th June, 1850.

Reply to this that the question raised by them was long since settled by Governor Grey, who told them, on their applying to him at Wellington, that he could not disturb or reopen the arrangement made relative to the purchase of Wairau, Kairiopoi, &c., from the Ngaitū. Neither can I now consent to reopen or alter any arrangement relative to the reserves at Moeraki. I have examined into the matter, and find that the reserve made there contains 600 acres, which is considerable for the very few Natives resident there.

Questions relating to land and arrangements made relative to reserves, &c., cannot be reopened or altered when once they have been settled; otherwise no end of confusion would take place, and land would be of no value, because there would be no knowing what arrangements were to be the final ones. Therefore I cannot consent to disturb those which have been made relative to Moeraki.

G. Eyre.

Matimes informed accordingly.

H. Tacy Kemp.

13th June, 1850.
CORRESPONDENCE RELATIVE TO A RESERVE ORIGINALLY SITUATED AT
TE HAKATARAMEA, PROVINCE OF CANTERBURY.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May 19, 1853</td>
<td>Mr. Mantell</td>
<td>Civil Secretary</td>
<td>Noticing a report on the reserve at Te Hakataramea, Waitangi Gorge, and on the Lower Waitangi.</td>
</tr>
<tr>
<td>2</td>
<td>April 6, 1853</td>
<td>Civil Secretary</td>
<td>Mr. Mantell</td>
<td>Acknowledging above, and approving of proceedings.</td>
</tr>
<tr>
<td>3</td>
<td>March 6, 1856</td>
<td>Mr. A. Mackey</td>
<td>Native Under Sec-</td>
<td>Suggesting that land at Waitangi should be given in</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>retary,</td>
<td>line of Natives.</td>
</tr>
<tr>
<td>4</td>
<td>April 2, 1856</td>
<td>Under Secretary</td>
<td>Mr. A. Mackey</td>
<td>Approving of suggestions.</td>
</tr>
<tr>
<td>5</td>
<td>Nov. 1, 1870</td>
<td>Mr. A. Mackey</td>
<td></td>
<td>Memoranda showing what was done in the matter.</td>
</tr>
</tbody>
</table>

No. 1.

Mr. Mantell to the Civil Secretary.

Sir,—

Having, as I had the honor to report in my letter relative to that mission, been unable in November, 1848, to spare the time which would have been necessary to visit the ha ka of Te Warekokari at Te Hakataramea on the Waitangi River, I was, as then reported, under the necessity of promising that a reserve should be surveyed for him at that place at some future time. On my recalling this promise to the recollection of the Governor-in-Chief, prior to my leaving Wellington, I was honored with His Excellency's directions to proceed to the above-mentioned place whenever my other duties might permit, and to set apart such reserve as might seem necessary.

In obedience to these directions, I visited Waitangi in December last, with the further view of making such examination of the resources of that valley as might verify or refute the prevalent conviction that from scarcity of timber and even fuel, and distance from a point of shipment, it was, however last, the pasture, unfit for occupation. I have the honor to enclose brief reports on these two subjects.

Although on the occasion above referred to the Governor-in-Chief gave me permission when necessary to give names to places, I would not venture to interfere with one which has already appeared in the Government Gazette. If however no material objection exists to the abandonment of the name of Waitangi, which is unpleasing and so common as to create confusion, I would earnestly suggest that that river be called the Motukew, in remembrance of one of the earliest and best settlers whom New Zealand has ever lost.

I have, &c.,

WALTER MANTELL.

The Hon. the Colonial Secretary.

Report on the Reserve at Te Hakataramea, Waitangi Gorge, promised to Te Warekokari for himself and family.

The population of Te Hakataramea is as follows:—Te Warekokari, m., 50; Tutaika, f., 40. Their children:—Ruhi Pi, f., 15; Triu, 10; Tonii, 11; Te Hiri, 6; Te Oromere, 8. Betrothed to the two elder boys.—Te Hakinamoa, f., 16, daughter of Kauru; Tumula, f., 8, daughter of Te Hiri. One adult son, Thaia, absent at Sydney.

A reserve of 166 acres at the mouth of Te Hakatarama will suffice for himself and family; and I will, on my next visit, mark out and make a sketch survey of that amount. In the meantime, as the country in his immediate neighbourhood (North Bank) offers little inducement for settlers, even with stock, I have not prohibited the continuance of his cultivation of patches of fertile soil here and there on the low flats and islands of the river. These gardens are mostly in places which no European would think of cultivating at present; and since the southern bank must soon be occupied, I am desirous that the settlers should have at the outset as large a supply of food as the circumstances and (with the honorable exception of Te Warekokari) the laziness of the Native population will permit them to raise.

Te Warekokari's attachment to Europeans and their customs has acquired for him among the Natives the name of "Te Pakeha," by which he is now generally addressed. His conduct since the sale of the country has been in such favorable contrast to that of Haruru and the Pukenuwaru Natives that I would suggest that some子弹 present or other mark of His Excellency's approbation would be well bestowed upon him; it would also operate advantageously as a tactful and intelligible course of the conduct of the latter Natives, whom nothing but the distance and the smallness of the police force has preserved from the consequences of their wanton destruction of the little woods in their neighbourhood. They (especially Haruru and Rakitawine) have devoted days to falling trees which they leave to rot upon the ground,—being only actuated by a wish to injure the Government;
which, prompted by the Waikouaiti Natives, they blame for an alleged dishonesty of Te Marana. A recurrence of such conduct I shall feel it my duty to punish, however disadvantageous the circumstances under which the prosecution must be conducted. I think it more probable, however, that they will next be heard of in the Middle District; William Huapa (in whose favour a grant, which I find no little merit, is probably now ready for issue), having invited them to migrate to the Wamakaua wood on the Waikoua, whether he is to accompany them.

I have marked my approbation of Te Warakorari's conduct, but what he would most prize would be some proof of that of His Excellency the Governor-in-Chief.

WALTER MAXWELL,
Crown Land Commissioner,
(Late Commissioner Distinguishing Native Claims)

---

**Report on the Lower Waitangi Country, from Cape Waikoua (Mokotukutuku) to Pukewhinau, December and January, 1852-53.**


1. The pasture is good throughout; and a large extent, especially inland to Fire Beacon (Rahiaiauru), indeed wherever the porous tertiary lime-stone occurs, bears natural growth at least equal to my which I have seen on uncleared land in New Zealand. Mensa, Suisted, Nei, D. Scott, and Carmack will (so far as they have seen) corroborate this opinion. The only drawback is tumatokura, of which there is a great deal in some parts of the plains; but this, I believe, disappears before stock and burning.

2. Fuel.—In the eastern portion very scarce; but probably, or rather almost certainly, lignite will be discovered in the Waikoua or Kakanui country.

The woods at present known are as follows:

<table>
<thead>
<tr>
<th>Acres Scrub</th>
<th>Acres Copse</th>
<th>Acres Forest</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Waikoua Cliff</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2. Cliff Wood</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3. Copse on the Hamana (Omaru)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4. On the Landon (Awakakamau)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>5. Papakoko</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6. Great Copse, &amp;c.</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7. Kestabourns (Waikoua) half belonging to Natives</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8. The Chatterton (Awanahake)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9. Macalwennans (near the Source)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10. Blackwood, and foot of Dome</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>11 and 12. Otehakake, Otaki, Kohuru, Awakakamau</td>
<td>25</td>
<td>0</td>
</tr>
</tbody>
</table>

**25 | 22** 10

besides charred totara logs on the ranges, and the scrub and driftwood on the river islands.

Past is found on the hills between Kakanui and Macalwennans.

Wood being so scarce, I deemed Te Warakorari's assertion that there was coal one day's journey inland of his kaie, although contradicted by the other Natives, worthy of investigation. I therefore went up the South Bank through the gorge to Te Awakakamau, where we crossed the river on moko, and found the lignite on the Pukewhinau Stream, made a large fire with it, and brought away about 3 cwt. of specimens, which I left at Pukewhainui and Terahini. I also arranged with Warakorari for the delivery of it at stations along the river, which he will effect by means of large mokos carrying upwards of a ton; the price per ton to be fixed by me. To sell in fixing the price, it was necessary to have a more distinct idea of the difficulties of the multi-navigation of the Waitangi. I therefore came down in a moko; the voyage or "revo" from Pukewhinau to Te Hakatuarere occupying one hour, and that thence to Te Pumakauru four hours. I propose to fix rates, varying according to the distance, from £1 to £3 per ton, for the lignite delivered at the river's side at places which I may deign. As the lignite is perhaps not in my district, I would propose the sanction of the Governor for this arrangement, and that His Excellency would also be pleased to confirm my direction that no Native but Warakorari be privileged to work at the lignite in question; should it be or be thought worth working by Europeans, their arrangement would not be the obstacle to their obtaining the necessary licence. Lignite also occurs high up the Hakatuarere; and I may further mention, that from an intelligent Native who accompanied me down the coast in 1849, I learn the existence of beds of lignite, some of good quality, commencing near the Ekipatu (Tobowakawa), and running thence about N.N.W. to the upper Waitangi country. I have the honor to forward small specimens from Pukewhinau which you will perceive is not of first-rate quality.

3. Timber must be imported, or obtained from Blackwood or the woods on runs Nos. 11 and 12.

The great forest, though clothed three sides of Hawke and Waiapui, comes no lower than the upper course of the tributaries of the Waitangi lakes, which are themselves woodless. Much of the timbered is fit for building, and clearable site is reported inland.

4. Inland Transport.—The plain commencing at the mouth of the Hamana continues without interruption to the Gorge, about thirty miles; passes through it in two terraces from 100 to 200 yards wide, and then stretches, widening and narrowing alternately, to the lake, which I should have no hesitancy in taking a day at once. Just below the Pukewhinau (an impassable cliff on the North Shore) the river narrows, between vertical plate cliffs of 20 to 30 feet high, to less than 100 yards. It is evident, at a glance, that this is the place for a bridge, and the two terraces form a beautiful site
for a town which should eventually be one of the most important inland towns in the Island. This spot is about North from Mount Domett, the snowy peak mentioned in a former report.

6. Shippers.—This must be effected at the mouth of the Humes, which, sheltered on the South by Cape Waubrow and on the North by Point Siporenye, a low level promontory, and having what is reported to be a good roadstead, is a really valuable place on a barrenless coast. When I was there the wind was N.E. mod., and the sea in the night so calm that a small canoe might have landed with perfect safety. There is a second boat harbour at the Cape, practicable when the Humes landing is not.

6. The conjecture which I recorded in a former report, that the remains of the Maori would probably be found in a district so suited to the habits and wants of that tribe, has been borne out by our discovery near Cape Waubrow of a forgotten kaikia of the aboriginal Waitaha Tribe, the umu filled with bones and eggshells of Palaepyptorx aotomi, &c., burnt stones, charcoal, and remains of dogs, seals, &c.

WALTER DOMETT,
Crown Land Commissioner.

P.S. —I should have mentioned that Waitaha Natives, with such canoes as they use on that river, would not think it unsafe to navigate the Waitangi. The canoes could be pulled or tracked up the side channels. There is not now a canoe on the river.

-----------

NO. 2.

The Civil Secretary to Mr. Mantell.

SIR,—

Civil Secretary's Office, Wellington, 6th April, 1853.

In reply to your letter of the 19th ultimo, reporting on the general capabilities of the district on the banks and vicinity of the Waitangi River, I have the honor to request that you will inform the Native chief Te Warekoraari that his conduct throughout the whole of the negotiations for the sale of this district has been such as to be highly pleasing to His Excellency the Governor, who trusts that he will continue to act the good example he has hitherto done to the rest of his countrymen; and that, as a proof of His Excellency's approbation, you have been directed to make him a present.

You will therefore have the goodness to procure and present to this chief such articles as in your opinion would be most acceptable to him; and for this purpose you are authorized to incur an expense not exceeding $10 sterling.

His Excellency further approves of the extent of the reserve, viz., 150 acres, recommended by you to be made for Te Warekoraari and his family; and you are further directed to carry out your recommendation with as little delay as possible.

I have, &c.,

WALTER DOMETT,
Commissioner, Otago.

-----------

NO. 3.

Mr. A. Mackay to the Under Secretary, Native Department.

SIR,—

Christchurch, 3rd March, 1858.

In reference to the remarks contained in my report of 6th January, respecting the selection of suitable land in lieu of the 150 acres originally chosen at Hakataarama (as a reserve for Te Warekoraari), I mentioned a place named Waimaka, to the south of the River Waihou, as a good locality to select the land at, and that I would make inquiries on my return to Christchurch as to the practicability of securing land at the aforesaid place. I have the honor now to inform you that I have ascertained at the Land Office that a portion of the land alluded to by me is available for selection. I would therefore beg to recommend that land on the extent of 300 acres should be chosen there for the following objects, viz., 150 acres in lieu of the Hakataarama Reserve; 100 acres to provide additional land for the residents at Waimakararama; and 50 acres in lieu of the Taulimu Reserve (To Kani's pa), which I recommended should be abandoned, as being unsuitable for Native occupation. I found on inquiry that a good deal of the best land, a portion of which I had hoped to secure, has been already purchased; there is still, however, a large block of average land to be had, if immediate action is taken to secure it.

If the Government should consider it expedient to adopt my suggestion, I would beg to recommend that His Honor the Superintendent should be informed that land to the extent of 150 acres will be chosen at the place named in my letter, instead of at Te Hakataarama, and that the remaining 150 acres shall be acquired by the usual modes.

Enclosed I beg to hand you a tracing of the locality in question, showing the spot alluded to by me, as indicated by the pencil lines.

I have, &c.,

ALEXANDER MACKAY,
Native Commissioner.

The Under Secretary, Native Department.

-----------

NO. 4.

The Under Secretary, Native Department, to Mr. A. Mackay.

SIR,—

Native Secretary's Office, Wellington, 5th April, 1858.

In reply to your letter of the 3rd of March, 1858, in which you suggest that 150 acres should be taken at Waimaka, instead of at Hakataarama, as a Native Reserve, and that an additional 150
acres should be bought at the same place, I am directed by Mr. Richmond to inform you that your recommendation is approved. It is not, however, proposed to abandon Te Kapa's pa, as suggested by you. An authority for £300 will be forwarded to the Paymaster at Christchurch for the purpose.

I have, &c.,

H. Hatfield,
For the Under Secretary.

No. 6.

MEMORANDUM.

Land to the extent of 160 acres, by the direction of the General Government, was purchased at Waikawa, on the 16th April, 1868, for the sum of £300, to supplement the Native Reserve at Waimate-nui and Te Whara; and 150 acres was also chosen there in lieu of the same quantity at Hakataramea. The claim to this section was heard before the Native Land Court, at its sitting at Christchurch, in May, 1869, and a certificate of title ordered in favour of Rewiri Te Maire and the other surviving relatives of Te Wharetoro.

Alexander Mackay,
Native Commissioner.

1st November, 1870.
PLAN OF

Land purchased to supplement Native Reserve at Waimate, Province of Canterbury, as per instructions contained in Under Secretary’s letter, Native Department, dated 2nd April 1863.

Scale 2 inches to a Mile.
## CORRESPONDENCE RELATIVE TO THE EXCHANGE PROPOSED IN LIEU OF THE KAKAUNUI RESERVE.

**Schedule.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 9, 1858</td>
<td>Mr. Mantell</td>
<td>Hon. Colonial Secretary</td>
<td>Forwarding a petition from certain Natives to be allowed to exchange a reserve for some other land.</td>
</tr>
<tr>
<td>April 5, 1858</td>
<td>Hon. Colonial Secretary</td>
<td>Mr. Mantell</td>
<td>Approving the exchange.</td>
</tr>
</tbody>
</table>

No. 1.

**Mr. Mantell to the Hon. Colonial Secretary.**

SIR,— I do myself the honor of transmitting a letter written by Kawiri Te Maramu, in his own name and those of the other Natives in whose behalf the now abandoned Reserve No. — at Kakaunui was made, begging me to convey to the Governor-in-Chief their request to be allowed to exchange that reserve for an extension of the Moeraki Reserve in a southerly direction to Okahan Point; or, should that proposal not meet His Excellency’s approbation, to an extent equal to that (75 acres) which they wish to give up.

The enclosed tracing shows approximately the land wished by them. The Kakaunui Reserve has no wood, but, including a boat landing-place, its surrender would place in the hands of Government a useful village site. The land desired in exchange has a little wood in a deep gully at the north-east angle; the rest is open, undulating land, more or less steep, with excellent soil, but a southern aspect.

Although the surplus (27 acres) which would be included by the line to Okahan Point are of little value save to the occupants of the adjoining land, I consider that it would be more advisable that this exchange, if sanctioned by His Excellency, should be of strictly equal quantities. It is probable that eventually the land between the reserve and Waimatakiti will become the property of the Natives; but this is unnecessary at present; and the acquisition of it by individual Natives by purchase, at a reasonable rate, would be more beneficial to them than a free grant. It is not inluded in any run, and they have verbal permission from me to allow their cattle to graze there; which permission I would gladly see exchanged for a license at a rent proportioned to the small extent of the land, should His Excellency the Governor concur in the propriety of thus gradually initiating them into the practice of renting land for stock, and sanction the issue of such special license as the case would require.

I have &c.,

**Mr. Mantell**

---

**Enclosure in No. 1.**

**Mr. Maramu,—**

Te nau taku koreto kia puta tuku whakararo hapai mai i Kawarau kia tutakina ki te rohe o Moeraki kia mui ai te wahi mo matou i te mua kia rohe heke matou kia tuku whakararo kei Okahan te rohe haura tonu kia te Tutakiitaka te rohe o te awa o te wai o raro kei Okahan te rohe mai o waho tutaki aku kia te pou tawhito o raro o te awa o te wai.

E hou o Maramu ka mui tuku whakararo kia tutakina Kakaunui ki Moeraki. Ohira ko taku koreto tenu ki a koe, kia rongo mai koe kei Okahan te rohe kei te wahi kia horero ai matou ko Kihora ko te wahi tera i te ati matou. E hou, kia rongo mai koe kei Okahan te rohe ko te wahi tera i te ati pua Kihora. Eoai uno takatahi ano kai rong toi te rohe o matou, roaonei ai kia horero ki a Kepkapa Kakaunui ki hou ki hou.


Ohira kei a koe to horero me whakararo ano Kakaunui.

R. Te Maramu.

**Kia Maramu.**
No. 2.

The Hon. the Colonial Secretary to Mr. Mantell.

Sir,—

Colonial Secretary’s Office, Wellington, 6th April, 1853.

In reply to your letter of the 12th ultimo, transmitting a letter from Kewiri To Mamuru, requesting to be allowed to exchange a reserve at Kakaumi for an extension of the Moeraki Reserve in a southerly direction to Okahau, I have the honor to convey to you His Excellency’s approval for the exchange being made in the manner recommended in your letter—viz., that it be an exchange of strictly equal quantities.

With regard to the proposal contained in the last paragraph of your letter, that the Natives of that district should be gradually initiated into the practice of renting land for pasturing purposes, I am further to request that you will endeavour to introduce this custom wherever you may think it expedient to do so.

I have, &c.,

ALFRED DOMETT.

Walter Mantell, Esq., Commissioner.

Colonial Secretary.
# PAPERS RELATIVE TO THE CLAIMS OF CERTAIN NATIVES TO LAND BETWEEN LAKE ELBESMERE AND THE SEA.

## SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Name</th>
<th>Position</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nov. 20, 1866</td>
<td>Hon. Colonial Secretary</td>
<td>Superintendent, Canterbury</td>
<td>Enclosing letter from Native chief, with complaint, and requesting report.</td>
</tr>
<tr>
<td>2</td>
<td>Nov. 22, 1866</td>
<td>Mr. W. Rolleston</td>
<td>Natanahuri Waawauwauwui</td>
<td>Informing him he will be apprised when a decision has been made.</td>
</tr>
<tr>
<td>3</td>
<td>Nov. 23, 1866</td>
<td>Secretary, Crown Lands</td>
<td>Commissioner, Crown Lands</td>
<td>Asking for report on the drainage of Lake Ellesmore.</td>
</tr>
<tr>
<td>4</td>
<td>Nov. 20, 1866</td>
<td>Secretary, Crown Lands</td>
<td>Commissioner, Crown Lands</td>
<td>Reporting that no drainage has been made.</td>
</tr>
<tr>
<td>5</td>
<td>Nov. 6, 1866</td>
<td>Superintendent, Canterbury</td>
<td>Hon. Colonial Secretary</td>
<td>Reporting that no drainage has taken place.</td>
</tr>
<tr>
<td>6</td>
<td>Dec. 13, 1866</td>
<td>Mr. W. Rolleston</td>
<td>Natanahuri Waawauwauwui</td>
<td>Informing him no drainage is going on to spoil the cedar-woods.</td>
</tr>
<tr>
<td>7</td>
<td>Dec. 16, 1866</td>
<td>Natanahuri Waawauwauwui</td>
<td>Mr. W. Rolleston</td>
<td>Contradicting statement of Superintendent.</td>
</tr>
<tr>
<td>8</td>
<td>Feb. 1, 1866</td>
<td>Natanahuri Waawauwauwui</td>
<td>Hon. Native Minister</td>
<td>Reporting that the water in Lake Ellesmore is being diminished.</td>
</tr>
<tr>
<td>9</td>
<td>April 12, 1866</td>
<td>Hon. Mr. Montall</td>
<td>Natanahuri Waawauwauwui</td>
<td>Discussing the question of Native rights to cedar-woods.</td>
</tr>
<tr>
<td>10</td>
<td>April 23, 1866</td>
<td>Mr. W. Rolleston</td>
<td>Natanahuri Waawauwauwui</td>
<td>Tusing the Superintendent has a right to drain the lake.</td>
</tr>
<tr>
<td>11</td>
<td>June 3, 1866</td>
<td>Te Kere</td>
<td>Hon. Native Minister</td>
<td>Making a claim for payment for a piece of land.</td>
</tr>
<tr>
<td>12</td>
<td>Aug. 16, 1866</td>
<td>Mr. J. W. Hamilton</td>
<td>Hon. Native Minister</td>
<td>Refusing Government's above claims.</td>
</tr>
<tr>
<td>13</td>
<td>Dec. 10, 1865</td>
<td>Horomai Matua and others</td>
<td>Native Land Court</td>
<td>Requesting an investigation into their claims to Kau-terau.</td>
</tr>
<tr>
<td>14</td>
<td>April 28, 1865</td>
<td>Hon. John Hall</td>
<td>Native Land Court</td>
<td>Order of reference to Native Lands Court.</td>
</tr>
</tbody>
</table>

---

**No. 1.**

**The Hon. the COLONIAL SECRETARY to the SUPERINTENDENT, Canterbury.**

Dec 16th, 1866.

I have the honor to enclose a translation of a letter from a Native chief, on behalf of the Runanga of Kaiapoi, complaining of the drainage by the Provincial Government of Lake Ellesmore as injurious to their private property.

It would appear from the original deed of purchase from the Natives that the lake in question is within the boundaries of the land sold to the Crown by the Natives, without any reservation as to right of fisheries. The land therefore covered by the water of the lake would be Crown land.

As under these circumstances there may be some technical difficulty which it may be desirable to remove in the way of the Provincial Government legally dealing with the land in question, and as it is important that the Native rights, whatever they may be, should be strictly defined by law, I should feel obliged if your Honor would furnish me with a full report on the subject, showing the nature of the work now in progress, and the authority of law under which it is done.

I have, 

**E. W. STAFFORD.**

**Enclosure 1 in No. 1.**

Rapaki, 9th December, 1865.

E hon tonu koe. Kua roko matou kua ha koe ha upoko mo te Runaka i Aotearoa.

E ha o Pittera tenui te matura kupa ki a koe mo te matura wakahu, mo Wehihera, kia kite ano koe i tama mae o takoto i tua o ka mauka o Poti Kupa tama mae o makua o ka Mcrri ki tae tana; nui i kaiaia ka hiaiaia kia a manu wakahu no te maha o ka aina e tae ki kia awhiwhi te Kepa kura ko Matera te rama tu, no te rama tu, no maha tu, a mua ka mua be tuina ki tai, i kaua ki te pakehara tonuia te wai ki a. Pakeha ena e te Kawaiatako ko tama whaenua ki te wairua kia hipita ki te Pakeha kura ko tae te rau ko awa ko rau ko kura ko tara ko kia kia ko kia ko tae ko kura kia tara ko te kura ko kia te Kawaiatako ko kia tu kia tu mua. Koikoi ko matou ko mua ko koe ki te kura ko kia Kaiapoi ko koe ki te kura ko hapa no te wai matou ko. E ha o Pittera e te rau ko mua ko koe ki te kura ko hapa ko kia Kaiapoi ko koe ki te kura ko hapa ko kia Kaiapoi ko. Koikoi ko matou ko mua ko koe ki te kura ko hapa ko kia Kaiapoi ko koe ki te kura ko hapa ko kia Kaiapoi ko. Koikoi ko matou ko mua ko koe ki te kura ko hapa ko kia Kaiapoi ko koe ki te kura ko hapa ko kia Kaiapoi ko.


**Na NATANAHURI WAAWAUAUWI, Te Runaka katoa o Kaiapoi.**

Ki a koe E Pittera,

61.
To Mr. FITZGERALD,—

Yardley, 9th September, 1885.

Dear Mr. FitzGerald. Here is one word to you about our land about Waipara; you yourself have seen that sheet of water which lies behind the mountains of Port Cooper; the Maoris catch eels there, and now we wish to sell that land (water), because during the time that the lake was full of water, Mr. Kemp and Mr. Mantell laid down their money (in payment for the surrounding land); therefore they thought it not necessary to make any further payment for that land, and now the water is being let off by the Pakuhas, that is to say by the Government, so as that land may be made a sheep station by the Europeans, and now there is very little (or no) water, it has to be left for two or three years before there is sufficient water to overflow so as to enable us to catch eels; but now, it is being drained off by the Government, so as to be a source of employment for them. Because of this we wish that payment be arranged to be given to us, for it is not well to take the land of any man away without a proper understanding, but rather let the arrangement be made straight at the present time. Therefore we do say, do you expect this word of ours in the General Assembly, and make it clear to them; for we neither received a penny, halfpenny, nor a farthing from Mr. Kemp and Mr. Mantell in payment for that land. We received nothing at all on that account. Therefore we say, do you arrange about the payment to be given us for that land. If you look favourably on the word of Nathanael Warawaru and the great Emanga of Naiapoi write to us; if not, write.

O friend FitzGerald, this work will not cease until it has been arranged. That is all.

To you, O FitzGerald.

NATHANAEL WARAWARU

And the whole Emanga of Naiapoi.

Enclosure 2 in No. 1.

NGATIARO TOPEVHAKE.

WHAKAATROGO mai o nga Iwi iata—ko matou ko nga Rangiatea, ko nga Tangata o Ngatiwhakariki, ko matou tohu ki teina pokupaki teina ra i te 12 o Huna, i te tawhia tino matou, waru rau, wha teina ma waru, ko whakaere ki tukua rawatia atu kia Wairuaa (William Wakefield) te arangangi o te Whakanienga o Nui Tiriwhi o roho ana ki Rakau, ara ki o rato Kaiwhakarite, ko matou whakarua o matou anohe tawhia o tokoto hou ara ia i te tohia i te tawhia o tino maire, timata mai i Kaiapoi; ko te tawhia a Ngatiwhakariki o roho ki Whakapai, hou teina, tau teina ki Oiako, hou teina ki te tawhia kia Tainoa, hou teina ki tino teina o te monerge o Kahikita, o, pala teina ki tino teina ki Whakatipu-Waitai (Milford Haven) utira teina te pokupaki rau tino tohu, te tino ahua o te wharehangi. Ko o matou kahinga nohongaro, ko a matou whakahainga kai, me whaio maro mo matou, me a matou tamaori, ko muri hou iho ki matou, ko te Kaiapoi o Whakariki mai o teina tohitia wha ki matou a mau ake nei, a te whai a e tawhia te wharenui o nga kai ruri—ko teina nei i o te wharenui ki tukua whakarecrea no nga Pakeha o teina atu tino.

Ko te tuhi kia tukua mai mo matou o rua mano pauna manu ($2,000) e te towhararo mai te utunga mai o ehei nei ki tino kai, utara mai kia matou whakarecrea e, Huna rau pauna $2,500, ko teina utunga i $2,500, ko teina atu i $2,500, ko tino rau atu $2,500, hukua karepi o $2,500.

Kia teina tuhituhitanga i o matou ingoa, i o matou tohu, he whakatupereke uiahangi no matou, i tunitia kia konei ki Akaroa, i te 12 o Huna, 1846.

John Tekao. Ko te tohu teina o Tiaaro.
John Pare. O Maape.
Tiahi. Pare Tau.
To Te Hau. Taimi.
Mata. Koti.
Thana. Karetai.
Warawaru. Pohau.
Topi. Wiramu.
Ko Riwana. Te Baki.
Korehe. Solomon Pehio.
Ko Te Porioci. Ngaiatakinana.
Wiramu. Pohua.
Ko Haka. Tarii Wateua.
Pukana Pukumui. Ko Tare Te Hauaru.
Tuwha Manaehe. Hauereu.
Tuahura. Tira.
To Hau. Te Matahe.
Ko Te Ohi. By powtry—Tiaaro and Solomon o Topi Kihau, son of Puwahawhi Te Korako.

Nga ingoa o te kai-itiako—

Witnesses—
John Wateu, Resident Magistrate.
H. Racy Kemp, J.P., Commissioner.
James Bruce, Settler.
No tensi re i rukuma ai ki a matou te tuarua o nga utunga mo a matou whoa o ma nei te ahua. £2000 rusa ta paana mo i rukuma nei ki a matou. Na Mr. Mantell, Commissioner for extinguishing Native claims, i tuha ki a matou.

To One Tuki
Rawiri Te Manoera.
Makarotua.
Kahuti.
Ko Karetai.
John Topi.
Fatua.
Matthews Tiramoreau.

Nga ingoa o to kai-tiko:
J. Leston Stokes, Captain, H.M.S. "Acheron."
W. Hamilton.
D. Lyall, Surgeon, H.M.S. "Acheron."
H. S. Ouland, Architect and Surveyor.
John Watson, Resident Magistrate.
Walter Mantell, Commissioner.

[Translation]
HAKAROA, PEPERE 22, 1849.

Haroon all ye tribes. We the chiefs and people of Ngaitahu who have here signed our names and appended our marks to this document on this day, the twelfth day of June, in the year one thousand, eight hundred and forty-eight, consent finally to surrender to William Wakefield, the agent of the New Zealand Company, London, or to their representatives, the whole of our lands which lie along the sea coast, commencing at Kaitore, the block sold by Ngatiti, the boundary of the Nelson (Provincial) right along to Otago, joining on to the boundary, that land sold by Haimona, commencing from this sea and going across to Kahiti, those right over to the other coast, Whakatipu Wairei (Milford Haven)—but the exact description is on the plan; but our places of residence and cultivations must still be left to us, for ourselves and our children after us. And the Governor must appoint a quantity of land for us hereafter, when the land has been surveyed; but the whole of the land excepting this is altogether and finally handed over to the Europeans for ever.

The purchase money delivered to us is two thousand pounds (£2,000). The payment of this money to us is to be done on four several occasions. Paid to us this day, five hundred pounds (£500), at the next payment five hundred pounds (£500), at the next five hundred pounds (£500), and the last occasion five hundred pounds (£500); in all, two thousand pounds (£2,000).

Here is our signature of our names and signs as a general consent given of ours. Written here at Akaroa, this twelfth day of June, 1849. (Here follow the signatures.)

No. 2.
Mr. Rollerton to NATASAHIRI WARUWARU of Ropaki.

E HOA E NATASAHIRA,

Tea koe. Tenei te reta i tuhia mai nei ki a Whiti-te-kai te aroaro o te Kawanawanga e takoto ana, e patapaia ana nga kua tuhia mai nei e koe, naka kites, ko reira ano whai kupu whakatuturu atu ki a koutou. Heo to ana.

Ki a NATASAHIRA WARIWARUTI, Ropaki, Canterbury.

[Translation]
Wellington, 22nd November, 1849.

Salutations. Your letter written to Mr. FitzGerald is now before the Government; these matters which you have written about are being inquired into. When the result of such inquiry has been ascertained, you will be informed respectively in accordance therewith. Enough.

Your friend,
W. ROLLERTON.

No. 3.

The Secretary for Crown Lands to the Commissioner of Crown Lands, Canterbury.

The Native Remises of Kaikorai having sent a complaint to Government regarding the draining of Lake Ellesmere, apparently by the Provincial Government, and the consequent interference with their right of eel-fishing, I have the honor to request you will be good enough to report for the information of the Government on the nature and extent of the work being carried on by the Province; and also, as technical questions connected with the ownership of the land may perhaps be involved, what course is contemplated, if any, as to the disposal of the land to be reclaimed or drained, and on any other point connected with the subject upon which you may think it advisable to remark.

I have, &c.
ALFRED DUNNETT.

The Commissioner for Crown Lands, Canterbury.

Secretary for Crown Lands.
No. 4.

The Commissioner of Crown Lands, Canterbury, to the Secretary for Crown Lands.

Sir,—I have the honor to acknowledge the receipt of your letter of the 21st instant, and No. 12, relative to the complaint of the Native Runners of Kaiapoi, regarding the draining of Lake Ellesmere, and in reply beg to report as follows:—

I find that nothing has been done or is doing by the Provincial Government towards draining the lake. The Secretary for Public Works informs me that a short time since levels of the adjacent country were taken by order of the Government, for the purpose of ascertaining if such a work could be done, but the enormous cost of the undertaking renders it improbable that it will ever be attempted. The lake periodically discharges itself into the sea by breaking through the adjacent beach, and this has been the case recently, the effect of which has been to lower the lake considerably, but I cannot learn that it has resulted from any other cause.

I have, &c.,

William Guire Britton,
Commissioner of Crown Lands.

Wellington.

No. 5.

The Superintendent, Canterbury, to the Hon. the Colonial Secretary.

Sir,—I have the honor to acknowledge the receipt of your letter of the 20th ultimo, enclosing translation of a letter from a Native chief, on behalf of the Runners of Kaiapoi, complaining of the drainage by the Provincial Government of Lake Ellesmere, as injurious to their private property.

In reply, I have the honor to inform you that the Provincial Government of Canterbury have not in any way interfered with the drainage of Lake Ellesmere. Levels have been taken at the instance of the Provincial Government, with a view of so far draining the lake that it shall not back up the river running into it, or overflow the land adjacent; but no drainage work affecting the level of water in the lake has been undertaken by the Provincial Government.

I have, &c.,

S. Bailey,
 Superintendent.

No. 6.

Mr. Rolleston to Natanahira Warihurutu.

Ponoko, Tuesday, 18th, 1865.

To Natanahira,

Gone, kua toe mai te rete a te Huparitene o Kaiapu he utu, mai mo te reta i takuru atu ki a ia ma rongu i tani i bihi mai nei i te 9 o nga ra o Huparitene, mo takuru roto wai Moari i tua o Pole Kupa e uaua aia aha kia tukuia to wai ki roto. E ki mai ana te reta a te Huparitene, o, kahe aha whakaroro ki tukuia te wai ki whakakino uga ruini ture a te Moari; engari heho ana te mua e whainga ana, kei pakanu te wai ki runga ki te whakairua katoa. Kahe aha he kupu.

Na te hua.

W. Rolleston.

[Translation.]

Wellington, 13th December, 1865.

Salutations. The letter from the Superintendent of Canterbury, in reply to a letter written to him in regard to your letter dated 9th September, about a lake of fresh water behind the hills at Port Cooper being drained, has come. The letter from the Superintendent states that he has no desire in draining the lake to spoil the сйиyиsde of the Natives, but the chief thing to be feared is the foundation of the whole country. There is no other word.

Your friend,

W. Rolleston.

No. 7.

Natanahira Warihurutu to Mr. Rolleston.

Rapaki, Thursday, 19th, 1865.

Te Parekara,

Tua koa. Kua toe mai au roto o tua utu mai ma takuru roto ki a Witheries kua kito iho au i te kupua o to Huparitene o Kaiapu nei e ki nei kaore ia o pa'1 kia tukuia te wai, kia whakakino i ka ruini ture a te Moari. E kua he kupua waipuka te tawhia kupua. E te kia roto mai, te tino taha i te tahi atu i he whaihahi atu ma au roto, kia tona e au au roto ki a Runaka tirohia ai he ruira he tahi atu at. E kia tawhia te taha o te tahi o te tahi kia takuro ma te hua e te kai. Ka mutua. O tona koa hehia te Kawahuita ko wai ra.

Ki o Te Rorekana.

Natanahira Warihurutu.
To Mr. Rolleston.

No. 9.

Mr. MINTELL to Mr. ROLLESTON.

Mr. ROLLESTON,—

A reference to previous papers would have saved the trouble of noticing a communication from Natanaëra Waruwututu; a reference of his first letter to me would have saved the trouble which has been imposed on the Attorney-General.

On that gentleman's minute I must be permitted to remark, that the translation of the deed of 1848 submitted to his honour is erroneous,—that one or more of its errors is such as requires no knowledge of the Maori language to detect—that the signatures of the vendors are, although added at the foot of the paper, not placed in such a position as to seem to be what they are; that there seems to have been an attempt to make it look as if those who signed were the owners of the land, or that the marks were made by those whose names are written beside them, or that Taikors and Solonos had any right whatever to sign for men of supposed rank and interest who were absent from and ignorant of the transactions; and that the translation in question does not show how, if at all, Colonel Wakefield is so identified with the Crown that land conveyed to the former should at once become the property of the latter.

I do not pretend to question the propriety or correctness of the Attorney-General's opinion, but as I distinctly remember that the Crown Law Officer (Mr. D. Wakefield), at the time at which the deed was made, having before him the deed itself as well as its translation by the officer who drew it, declared it to be illegal and “not worth the paragraph on which it was written,” and that the Government have shared that opinion. I do think I may be permitted to express my appreciation of the progress which we have since made in the application (when permitted by our Parliament) or adaptation of English law to questions of Native title to land. From that period of timid punlishomicles in 1848 we have now, unless the case before me be exceptional, which I have no reason to suppose, reached a time when it would seem that any deed drawn anyhow from any Maori to any European conveys any land “within the boundaries specified in the deed and plan” from whatever Maoris may have owned it.
to the Crown. The high respect universally entertained for Mr. Prendergast’s legal knowledge convinces me that it would be impossible to attach too great importance to the bearing of his opinion in the present case.

The validity of the document of 1848 being thus satisfactorily established, or rather its validity as conveying to the Crown all lands within the boundaries specified in it and the plan, but not clearly so in respect of the provision in favour of the Natives which it contains, I feel no difficulty whatever with regard to the sale-fishing question. Bound as I then felt, pending the execution of the new deed which the Government deemed absolutely necessary, to maintain the validity of that order. I treated with the Natives in all matters connected with their reserves with a high hand, and as if I possessed the unquestionable right to do so. At almost every reserve the right to maintain the old and to make new sales was claimed, but I knew these sales to be so great an impediment to the drainage of the country that in no case would I give way upon this point, although unfortunately my difficulty was much increased by their knowledge that at a sale then recently made in this Island, a general reservation of this right to the Natives had been conceded.

At Lake Ellsmore (then called Waihora) I showed Maopo, Pohau, and others of the Kaiteruhu-bikiti interested at Taumutu that although years might elapse see their old style of breaking the dam might be interfered with, the stoppage of the outlet must so seriously affect the drainage of so large an extent of country that the Government must be quite free to do as it pleased with regard to it.

All that I promised at any place to the Maoris on this subject was, that their rights of fishing on and beyond their own lands should be neither less nor more than those of Europeans; and this promise I hope the Government may for a time permit to hold good.

I have, etc.,

WALTER MANTELL.

Wellington, 12th April, 1869.

---

No. 10.

Mr. Bollington to Notahahina Warwarmutu.

Pounawhitu, April 22, 1869.

Tona koe. Ko hea tuku o to Maitara mo nga Maori to pukepuka o te tuahini o Papiapo ki a Matora, maia atu ana ki a ia, ia monena kahore he kupu ki a nga Maori mo nga runiri tana o Waihora ta tanga kia uno ki nga tangata whenua.

Ko to kupu mai tenei a Matora, ia a kei Waihora ka ki atu ia ki a Maopo, ki a Pohau, ma ia atu o Kaiteruhu-bikiti o whai paanga ana ki Taumutu; ko tana kupa atu tenei ki a ratou, ahakoa he haere nga tau o pahu whakabiti a ha kore o pulua to ratou tanga kohatu a te wai o marama ki a kima o nga tangata whenua. Oreta tenei ana ka tae mai te ra, ko te ma ka tana whaia o te wai o tako ia ana ki ringa, orehe koe a puta te wahi o nga waitangi, me tua mai nei ki a koe ko kia puta ki a koe ka te Kawanatanga o ahangi ki a kia mahia a toa ngatia ko tana kupa tenei.

Na to koe, ko tenei o pamanu kawiatia ana te wai o te Hupatone, o whai tika ana ko ki nga Maori. Tenei ko tanei kahore o pakanu katoa ana i te wai. Hoiti ano.

Ki a Notahahina Warwarmutu, Rapaki.

[Translation.]

Wellington, 23rd April, 1869.

Salutations. Colonial Superintendent has referred your letter of the 1st February to Mr. Mantell, and asked him to state whether any promise was made with regard to the sale-fishing of the Maoris at Lake Ellsmore, when he paid for the land.

Mr. Mantell says that at Waihora he showed Maopo, Pohau, and others of the Kaiteruhu-bikiti interested at Taumutu, that although years might elapse see their old style of breaking down the dam might be interfered with, the stoppage of the outlet must so seriously affect the drainage of so large an extent of country that the Government must be free to do as it pleased with regard to it.

If therefore the Superintendent were draining the lake, he would not wrong the Maoris; but he is not drained the lake.

Your friend,

W. BOLLINGTON.

---

No. 11.

Te Koro to the Native Minister.

Kaipori, June 3, 1869.

Kaiore atu ra e taku roto ki Poneke, ki a to Kahore.—E hea tema koe. He kupu tuku ki a koe ma taku piti whenau o takoto ana i wangaenui o te wai o Kaiteretere. Kei te Waiataaha o te ruhe kaha mai i to Kaikoura kaore he te pa ki Waihora, ko tae ki Kaitiriki he mutu i kena.

To tae i tahi atu ai ai ki a koe, kia kore tohua ko Hamitiki kia whakarika o Hamitiki ki taku kore, ko te tu ku mo tara whai kahore ano i utua mata. Ko te atu a Mataria kore ai i kite, kihai i takoto ki rere a te Haumiti atu i takoto ki roto o Wairau, heaero ki Akaroa. No krouai ai i tahi atu a kia kore whakarika kore ai i kire i te atu o Mataria, i Poneke na kori ai i tawa takiri, no kore a kore ai i tahi.

Hoei ano tuku kore ko a koe.

Na to tunasiti.

Na Te Koro.
[TRANSLATION.]

Kaiapa, 3rd June, 1866.

Go O my letter to Wellington, to Colonel Rosell,—O friend, salutations to you: mine is a word to you about my piece of land which lies in the midst of the boundary of Kaitoreti. The boundary is at Waiwakari, thence as far as to Kaiapa, thence to the pa of Waikaraka as far as Kaitoiti. Here it ends.

I have written to you because of a conversation I have had with Mr. Hamilton. Mr. Hamilton has agreed to my word, the payment for that piece has not yet been given. The payment by Mr. Mantell I did not ask; it was not deposited there (given for that place). Mr. Hamilton's payment was deposited in the midst of Wairua as far as Akaton. Because of this I have written to you—because I did not see the payment by Mr. Mantell. I was at Wellington at that time, therefore did I not see. That is all my word to you.

Your son,

Te Koro.

No. 12.

MEMORANDUM on Te Koro's Letter by Mr. Hamilton.

As I do not understand Maori sufficiently, I have no means of informing myself where Kaitoreti is, but I believe it to be the spot of land between Waikari Lake and the sea (Lake Elmers) just at the north extreme of the Ninety-mile Beach.

If so, this point has already been raised, I think, and a Memo. sent on it by me some months (?) back.

I had no mission to deal with the spit or any part of the plains, only Banks Peninsula, which was then understood to be the hills of the Peninsula, and the valleys taking a line from spur end to spur end. My purchase only took in the Waiwai (Little River) Valley.

If neither Mr. Kemp's nor Mr. Mantell's deeds of 1856 (1869), include Kaitoreti as part of the plains bought by them, then there is still a portion of land over which Native title is not yet extinguished; but as I never could contrive to get copies made me from Mr. Kemp's office, I never could tell what boundaries my purchase should reach to.

The other Maoris of Canterbury should know if Te Koro's claim is good at all. From all the Maoris have told me, and so far as I could understand them, I doubt if Kaitoreti ever was ceded by them to Mr. Kemp or Mr. Mantell.

Mr. St Clair is the only Maori scholar I know here who could obtain information.

13th August, 1866.

J. W. HAMILTON.

No. 13.

Ille Pukapuka ongo ki te Kooti Whakawaha Whenua. Maori kia Whakawaha E Hana.

E KARAH.

Ko mate te ahu tangata ko rarau nga ingoa e mau i te Pukapuka tangari ingoa e piri iho nei, o whakatau ana ki te whaiwhai pahi wharenui e tahi ana ki Waitara Kaitoreti. Na, ko tenei tohunga o motou, me te whakatau te tahi, hapu rauru. Kua whakawhakawhakawhakawhakena ki te Kooti Whakawhakawhakawhakawhakawhakanahau me ahu waha ka. Kina nga riro mai ki te Pukapuka whakatuturu o te Kawatanga me ahu waha ka.

Ki te Kooti Whakawhakawhakawhakawhakawhakanahau, ko Aorangi.

Pukapuka tara: Ingoa.

Te inoa o te Wharau.

Nga ingoa o te Wharau o te ahu tangata e pa ana ki te Wharau.

Te inoa o te Iwi, Hapu rauti.

Te whakatuturu o nga rohe.

Kaitoreti

Horemanui Mautai

Hariri Tumuhi

Te ingoa o te hapu ko Ngatiwaka ko

Te uranga o nga hapu ko Ngatiwakakihaki

Kui Kooti Whakawhakawhakawhakawhakawanui ko rohe ki te Kooti Whakawhakawhakawhakawanui. Ko Te Puna o Fokau tahi rohe puta noa ki Waikorua ko Kaitorekiho te rohe ki te tonga o te ra te moana nei rawa Waitara rawa.

No te 8 o uga te Tihua o te toa 1867.

[TRANSLATION.]

AN APPLICATION TO THE NATIVE LAND COURT TO INVESTIGATE CERTAIN TITLES TO LAND.

O STR.—We the persons whose names are in the list of names appended hereto, have a claim to a piece of land near Wairua, Canterbury. Now this is an application from us, for our tribe or hapu, that those claims may be investigated by the Native Land Court, in order that the certificate of the Government may be obtained for those lands.

To the Native Land Court, Auckland.
### List of Names [or Schedule].

<table>
<thead>
<tr>
<th>The Name of the Land</th>
<th>The Names of the Persons Interested in the Land</th>
<th>The Name of the Tribe or Hapu</th>
<th>The Description of the Boundaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kaitorute</td>
<td>Hemonia Maupak</td>
<td>The name of the hapu is Ngatiako</td>
<td>The boundary is at Ngaimananaa, on the side towards the Ocean. At the source of Pokau is another boundary, which extends to Waikorua. The boundary towards the setting sun at Kaihaki, and reaches the ocean and Waikorua.</td>
</tr>
<tr>
<td></td>
<td>Hoana Timaru</td>
<td>The second hapu is Ngatiworaihitiaki.</td>
<td></td>
</tr>
</tbody>
</table>

The 9th day of December, of the year 1867.

---

**No. 14.**

**Order of Reference to Native Lands Court, Christchurch.**

"Whereas, by 'The Native Lands Act, 1867,' it is among other things provided that all lands referred to in section 38 of 'The Native Lands Act, 1865,' shall, unless the Governor otherwise directs from time to time in respect of any such land, be excluded from the operation of the said 'Native Lands Act, 1865,' and of the first-mentioned Act, until the 31st day of December, 1868: Provided that every such agreement between the owners of any such land, or persons interested therein, on the one part, and officers duly authorized to enter into the same on behalf of Her Majesty on the other part, may be referred by the Governor to the Court, and the Court shall then upon investigating the title to and the interest in such land in the manner prescribed in the aforementioned Acts, and shall make such orders as it is by the said 33rd section of 'The Native Lands Act, 1865,' empowered to make: And whereas in the year 1868 a certain agreement was made between certain persons owning land in the Middle Island, of the one part, and duly authorized officers of the Government on the other part, purporting to extinguish the Native title to land comprised in the plan hereto annexed, save over such lands as were thereby stipulated should remain the property of such Native selling:"

"And whereas such reserved lands have never hitherto been effectually and completely defined, and there are doubts whether the said agreement has been absolutely effectuated in law by written instructions:"

"And whereas it is expedient to determine all such questions, and finally to conclude the agreement for the purchase of the lands comprised in the said plan:"

"Now, therefore, the said agreement is hereby referred, in accordance with the above-mentioned Acts, to the Native Lands Court."

"By command."

"John Hall,"

"A Member of the Executive Council of the Colony of New Zealand."

---

**Note.**—This case was before the Court on two different occasions, and the Chief Judge, in closing the case on the 1st of May, after a lengthy and elaborate judgment, gave it in favour of the Crown:—Proceedings of Native Land Court.—Alexander Mackay, Commissioner.
REPORT BY CAPTAIN STOKES, R.N., ON THE CAPABILITIES OF PORT COOPER AS A SETTLEMENT.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May 16, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Transmitting copy of a letter received from Captain Stokes, R.N., enclosing a report by Mr. W. J. W. Hamilton on the capabilities of Port Cooper and the adjacent country for settlement.</td>
</tr>
</tbody>
</table>

No. 1.

DESPATCH FROM GOVERNOR GREY TO EARL GREY.

My Lord——

Government House, Auckland, 15th May, 1849.

I have the honor to transmit for your Lordship’s information a extract from a private letter I have received from Captain Stokes, of H.M.S. "Acheron," dated the fourth instant, together with two tracings and the copy of a report from Mr. W. J. W. Hamilton. These documents all relate to the nature of the country lying in the vicinity of Port Cooper, which has been selected as the site for the Canterbury Settlement.

2. Your Lordship will be gratified at finding that the country in the neighbourhood of Port Cooper is so well adapted to the purposes of colonization, as also that the Middle Island of New Zealand appears to be so much broader than was imagined, and that this increased extent of territory is of so fertile and available a character.

I have, &c.,

G. GREY.

Enclosure 1 in No. 1.

Captain J. Lort Stokes, R.N., to Governor Grey.

DEAR SIR GEORGE,—


Having thus burdened you with our wants, I hasten to say a few words on our late cruise, the extent of which you will gather from the tracings enclosed. That either the climate is vastly improved southwards, or that we were favoured with unusually fine weather, remains to be proved by a series of comparisons. At present I incline to the opinion that the eastern and central part of the Middle Island possesses the most favoured climate.

Of all the selections made for settlements in these Islands, that for the Great Canterbury has the best anchorages, and is the easiest of recognition from its hill features and submarine slopes, of any I have visited in these Islands. The soundings show to nine fathoms between the Heads, and gradually to three fathoms, where the "Acheron" lay, with the sea horizon opening east and east-north.

I passed a fortnight travelling over those vast swamps lying at the foot of the hills surrounding that locality commonly named Port Cooper, by the Wakarana Bay. From an elevation of 3,000 feet by barometer, near the north end of this level tract, I saw one entire plain, stretching full a hundred miles to the southward, and watered by a multitude of streams, meandering like silver threads on their seaward course. On the east lay the blue deep sea, broken in the distance by the many peaked hills of Banks Peninsula; and on the west, at a distance varying from twenty to thirty miles, rose a range of mountains of sufficient elevation to have their summits capped with snow, and afford ample means for extending our network of triangles fully midway across the Island. Surprised at seeing such an extent of prairie land in this rugged country, generally exhibiting the reverse features, left me in doubt for a moment as to the name I should give the whole; the next suggested that of the Great Southern Plain of New Zealand. Nortwards from Mount Manukura were further plains of considerable extent, which Mr. Hamilton subsequently examined, and I enclose his accounts, with a tracing of the country north of the Great Plain.

When I met Mr. Brunner I hope to be able to give his route, and to lay down, at all events, his whereabouts when he saw the Eastern Plains. You will see by the tracings that, with the exception of thirty miles, the Middle Island has been traversed by Europeans, and that, moreover, there is a very considerable increase of acreage there.

Leaving Banks Peninsula, we steered southwards for Otago, examining the intervening coast by the way. The result of our visit to this port has been to prove that there is a channel of 31 feet at low water, being six more than were supposed to exist. The settlers are a quiet industrious band. Dunedin itself now consists of 200 houses, and the evening quarter's revenue is considered to be about £25,000.
From a hill in the settlement I saw the whole of the Taiaroa Valley, and the head of that leading from Moynaroar River to Peverell Strait. The former is limited, and has many lagoons. The latter is distant, and without any certain sea approach. Some cow birds and shags, and a few penguins, besides lime and an inferior coal, comprise the list of scientific contributions.

His Excellency Sir G. Grey.

Enclosure 2 in No. 1.

Mr. W. J. W. Harcourt to Captain J. L. Stokes, R.N.

Sir,—

In forwarding to you the accompanying rough sketch of the country to the northward of Port Cooper Plains and Mount Manawatu, part of which I visited during the "Acheron's" cruise to the southward, I beg to offer a few remarks on its general character. Beginning at Double Corner, a succession of low limestone ranges, alternating with sandstone, extend from the coast and in lines parallel to it, to a distance of ten or twelve miles inland. These ranges lie close together, are somewhat abrupt, and abrupt in deep watercourses and excellent keep for sheep; towards the coast the gullies are wooded, but nowhere on the hill-sides, except in deep sheltered gorges, is wood so to be seen. Indeed these ranges begin to break into low downs and narrow valleys, a succession of which (lying for the most part in N.B. and S.W. direction) brings you to the two large inland plains of Hurumui and Waiataua. These valleys are all rich in grass, have a considerable depth of good soil, and are very free from swampy ground, so prevalent in this country in the neighbourhood of . . . . . .

The dividing ranges are on the average from 500 to 1,000 feet in height above the adjoining flats, and offer in many places easy slopes for the passage of draught horses from one to the other, and to the great plains of Port Cooper.

The plains of the Hurumui is about twenty-five miles long by fifteen broad, containing 242,000 acres; and that of the Waiataua is, according to the Natives, double this size, or 484,000 acres, all level,—so remarkably so, indeed, as to look hewn in, as it is, by hills and mountains, like the dry bed of someinnamon range. Grass of the finest description, equal to any about Port Cooper or the Mounar. Deer's, abounds everywhere on these plains; generally I found it knee deep, but in many places on the banks of streams or soft ground breast high, and by no means easy to pass through at a quick pace. There are exceedingly few swampy patches, and those are covered with such luxurians of grass that they are to be looked upon as valuable rather than impediments by any one intending to settle in their neighbourhood. Of the soil, judging from what I saw at the banks of rivers, I may confidently say that it is deep, of excellent quality, and fit for putting the plough into at any moment. I estimate at one third that which, either from swampsness or having been covered by a considerable depth of gravel in some great floods, is at present suited only for keeping sheep or cattle. The Waian is only separated from the Hurumui at its head by a low rise, and is consequently easily accessible to drays. I cannot say more of it than that it is of the same rich character as the rest of the country from Port Cooper northwards.

The two plains lie about N.E. and S.W., the rivers crossing them in a more easterly and westerly line. It is remarkable that of the mountains bounding them none seem to belong to any continuous range, but lie in broken ranges of ten, fifteen, or twenty miles long, and on the same N.E. and S.W. line (apparently) as the plains; between them, the Natives told me, are grass valleys and streams. They were separated with sufficient cleanness to enable me to trace by eye the course of these valleys, tributaries as it were to the larger plains.

No wood is to be seen elsewhere than on the mountains: here, however, rimu (red pine), totara, kaikakata (white pine), matai (black pine), and tawahi (black birch), are in great abundance.

The Hurumui runs through the deep gorge by which is one of the passages to the West Coast. To the north of this gorge is a high range, beyond which again is a plain partly grass and partly wooded.

The Waian is represented to be a much larger river than the Waimakariri, and as running through a beautiful track of country. The easiest access to it would be from the Waiataua probably, but there is an old Nave path to it crossing the low part of the Kaikoura (Looker's-on Range). The whole of this country between Kaikoura Peninsula and the Waian is covered with grass; much of it is a limetons formation.

I have said little of the beautiful little plain of the Waiataua at the N.E. foot of Mount Manawatu, as I should only have to repeat what I have mentioned about the others, none of which, however, surpass it in the quality of the grass. It is about eight miles by fifteen, and contains some 70,000 acres.

The actual amount of land from Double Corner to Kaikoura Peninsula, taking the mountain range on the west of Hurumui and S.W. of Waiataua as a boundary, I estimate at 1,500,000 acres, divided as follows:

| Plain—Waian | 76,000 |
| Waian | 88,000 |
| Hurumui | 240,000 |
| Waiataua | 450,000 |
| Undulating land and downs | 300,000 |

Leaving for rugged country, but good for sheep runs ... 566,000
The next great block beyond from Kaloura Peninsula to Kowiniwini is, by the sketch, nearly of the same extent; but, as it may be much broken, I will attempt only an estimate of that adjoining the Waionto, to which, from its size, I may fairly allow a course of fifty-six or sixty miles, with an average breadth of ten miles available land on its banks.

This would give about 208,000
And allowing for broken country suited for sheep, one-third 183,000

\[ \text{Total, with last block } 510,000 \]
\[ 1,500,000 \]

It is the general opinion of the settlers about Banks Peninsula that the sheep thrive far better on the hills than on the plains. Thus, strengthened by experience, I have not hesitated to include in the estimate parts of the country which to me would have seemed almost useless had I not visited Motunau station, and been able to judge of the great value of even the most broken parts on the sea coast. I found a great extent of fossiliferous limestone, containing innumerable specimens of shells of great beauty and in a high state of preservation; but time, want of tools, and great hardness of the matrix, prevented my carrying away more than one or two pieces. I also found two other descriptions of stone, highly crystallized, containing mostly broken fragments of shells; but I could see no indication of coal or metal.

Of the climate I can speak only from observation during a very limited time. I had to complain of but one day’s wet, and one or two mornings showery before 6 o’clock. But, according to the Natives, it is preferable to that of the Northern Island (which latter I have reason to know from experience), inasmuch as the seasons are settled and sharply defined, and slight frosts in winter greatly assist the farmer. June, July, August are decidedly wet months; May partly showery; September, October, showery; November less so; December, January, February, March, April are depended upon as steadily fine months. During three and thirty days which my two visits inland (alone and with yourself) lasted, I had but this one wet day stopping my progress. I never before was so long in this country without rain and bad weather.

I have, &c.,

W. J. W. Hamilton.

Captain J. I. Stokes, R.N.
<table>
<thead>
<tr>
<th>No. of Particulars</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>May 5, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Transmitting a copy of correspondence with the Principal Agent of the New Zealand Company, respecting the foundation of the proposed settlement at Canterbury.</td>
</tr>
<tr>
<td>2</td>
<td>April 9, 1849</td>
<td>Mr. W. Fox</td>
<td>Governor Grey</td>
<td>Reporting that Mr. Thomas, the Agent and Surveyor-General of the Canterbury Association, had fixed upon Port Cooper as a site for a settlement, subject to the approval of His Excellency and the Bishop of New Zealand.</td>
</tr>
<tr>
<td>3</td>
<td>April 12, 1849</td>
<td>Mr. C. A. Dillon</td>
<td>Mr. Fox</td>
<td>Stating that the Governor considered it advisable to delay replying to his letter of the 4th instant, until after the arrival of the Bishop from the South.</td>
</tr>
<tr>
<td>4</td>
<td>April 20, 1849</td>
<td>Mr. J. Thomas</td>
<td>Governor Grey</td>
<td>Reporting on the capabilities of Port Cooper and the adjacent country for settlement, and making the Governor's suggestion on behalf of the Canterbury Association to occupy it.</td>
</tr>
<tr>
<td>5</td>
<td>April 20, 1849</td>
<td>Civil Secretary</td>
<td>Mr. Fox</td>
<td>On the subject of the Matai-Beriahia claim, and the occupation of Port Cooper by the Canterbury Association.</td>
</tr>
<tr>
<td>6</td>
<td>June 9, 1849</td>
<td>Lieut.-Governor Grey</td>
<td>Mr. Alfred Domett</td>
<td>Directing that instructions should be given to Mr. Mantell to proceed to Banks Peninsula to catalogue the Native claim to land there.</td>
</tr>
<tr>
<td>7</td>
<td>June 12, 1849</td>
<td>Lieut.-Governor Grey</td>
<td>Mr. Alfred Domett</td>
<td>Instructions for Mr. Mantell's guidance.</td>
</tr>
<tr>
<td>8</td>
<td>Aug. 11, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting that he had offered the purchase of the Port Cooper Block.</td>
</tr>
<tr>
<td>9</td>
<td>Aug. 11, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Transmitting the deed signed by the natives.</td>
</tr>
<tr>
<td>10</td>
<td>Sept. 3, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Regarding the result of the unsettled claim to the Peninsula, and that he was prepared to make the advances asked for by Mr. Mantell, to effect their settlement.</td>
</tr>
<tr>
<td>11</td>
<td>Sept. 6, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting proceedings at Port Levy.</td>
</tr>
<tr>
<td>12</td>
<td>Sept. 16, 1849</td>
<td>Mr. Fox</td>
<td>Colonial Secretary</td>
<td>Expressing his satisfaction at Mr. Mantell's proceedings, and stating that the additional funds required for the settlement of the remaining claims had been transmitted to Captain Thomas at Port Cooper.</td>
</tr>
<tr>
<td>13</td>
<td>Sept. 18, 1849</td>
<td>Lieut.-Governor Grey</td>
<td>Mr. Alfred Domett</td>
<td>Furnishing additional instructions to Mr. Mantell respecting the unsettled claims in Banks Peninsula.</td>
</tr>
<tr>
<td>14</td>
<td>Sept. 27, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting the conclusion of his negotiations relative to the Port Levy Block.</td>
</tr>
<tr>
<td>15</td>
<td>Nov. 26, 1849</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting the circumstances under which he considered it unnecessary to discontinue his negotiations for the satisfaction of the Native claims to Akaroa and Waitangi.</td>
</tr>
<tr>
<td>16</td>
<td>Dec. 3, 1849</td>
<td>Lieut.-Governor Grey</td>
<td>Mr. Alfred Domett</td>
<td>Requesting that Mr. Mantell should be informed of his approval of the course taken in regard to the outstanding claims.</td>
</tr>
<tr>
<td>17</td>
<td>Aug. 10, 1849</td>
<td></td>
<td>...</td>
<td>Copy of Port Cooper Deed of Purchase.</td>
</tr>
<tr>
<td>18</td>
<td>Aug. 10, 1849</td>
<td></td>
<td>...</td>
<td>Translation of Deed.</td>
</tr>
<tr>
<td>19</td>
<td>Sept. 26, 1849</td>
<td></td>
<td>...</td>
<td>Tabular statement showing how the money was distributed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>Copy of Port Levy Deed of Purchase.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>...</td>
<td>Translation of Deed.</td>
</tr>
</tbody>
</table>

No. 1.

Despatch from Governor Grey to Earl Grey.

My Lord,—

In reference to the correspondence which has passed upon the subject of the settlement proposed to be founded in New Zealand by the Canterbury Association, I have the honor to transmit, for your Lordship's information, a copy of a further correspondence which has passed between myself and the Principal Agent of the New Zealand Company and the Agent of the Canterbury Association on this subject. The only point in this correspondence which appears to require your Lordship's particular 64
The Right Hon. Earl Grey.

The view which I have taken of the claims of the French Company, and of the extent to which I consider the local Government is bound to consider those claims, as stated in the enclosed letter from the Civil Secretary to the Principal Agent of the New Zealand Company, of the 27th of April last.

G. GREY.

The Hon. Earl Grey.

Mr. W. Fox to His Excellency Sir George Grey.

Sm,—

Auckland, 6th April, 1849.

I have the honor to inform your Excellency that Mr. Thomson, the Agent and Surveyor-General of the Canterbury Association, deputed to select a site for the settlement contemplated by that body, has intimated to me his intention of laying upon Port Cooper and the adjacent country, if he can obtain the concurrence of yourself and of his lordship the Bishop, of which by his instructions he is directed to secure before commencing the preliminary operations of the undertaking. It is therefore probable that, in pursuance of the arrangements between the Canterbury Association and the New Zealand Company, I shall shortly be called upon to put Mr. Thomson in possession of the district referred to; but I feel that a difficulty exists, to which I have the honor to call your Excellency's attention, and towards obviating which I have to request your assistance.

The only harbour from which the extensive plains which Mr. Thomson proposes to occupy can be approached is Port Cooper, in which must necessarily be the site of the commercial town (probably the chief city) of the settlement, and for practical purposes it is desirable that Port Levy, which is almost a branch of Port Cooper, should be also placed at his disposal. In fact, should he be unable to obtain this, it would, I am afraid, be almost fatal to the success of the project intended to his administration.

The plain adjoining Port Cooper, which was, so your Excellency is aware, lately purchased by the local Government from the Natives, is now at its disposal, and no difficulty arises with regard to it; but an referring to the Parliamentary paper in my possession I observe that the undefined claim of the Nana-Bordeaisle Company to a grant of 30,000 acres on Banks Peninsula appears to extend to some parts of Port Cooper and Levy; and, as Mr. Thomson desires possessing until the boundaries of the French grant are defined, I now beg to apply to your Excellency on the subject.

The site of the French claim, as far as I am acquainted with it, is as follows—In October, 1848, the Agent of the Nana-Bordeaisle Company submitted their claims to Mr. Commissioner Godfrey, that officer declined to make an award in their favour, on the ground that their purchases, having been affected after the date of the Proclamation of Sir George Gipps (24th January, 1840), were null and void, but he reported the evidence specially to the Government.

In 1848 an arrangement was made between Lord Stanley, the Secretary of State for the Colonies, and the French Company, to the effect that, in consideration of an alleged expenditure by the Company on the objects of colonization, a grant of 60,000 acres should be made to them, embracing such portions of the Natives might admit the sale of to the French Company, and as much more, if any, as might be necessary to make up 80,000 acres, the latter portion to be obtained by the intervention of an officer of the local Government when your Excellency was directed to depute for the purpose of ascertaining the Agent of the Company in effecting an arrangement with the Natives, and acquiring quiet possession of the land.

Before the instructions referred to could have reached your Excellency, the local agent of the French Company, M. Bellingh, had, I believe, left New Zealand, and no representative of the Company has since been in the Colony. I presume it was owing to this circumstance that the instructions have not hitherto been acted upon, and that the district in question still continues encumbered with the undefined claim of the French Company.

When recently at Port Cooper, I endeavoured to learn what portions of land at that place and Port Levy had been purchased by the French, but was not able to ascertain anything precise. The Natives though they admit some sales, deny having received the stipulated payments, and protest to be in expectation of still receiving a large sum of money (65,000) from the French Company.

The circumstances then, as they appear to me, being these,—that the purchases of the French Company were reported against by the Commissioner, and declared "null and void," that the subsequent arrangement effected by Lord Stanley was one of grace and favour only; that the transaction still remains open through the neglect of the French Company, who since 1848 have done nothing to define or establish their claim; that while it continues undefined, and is supposed to extend to the territory of the already honoured French, the very grant can be occupied the colonization of nearly all the Middle Island north of Otago must stand still,—I beg to submit the following propositions for your Excellency's consideration:

1. That your Excellency should issue to the New Zealand Company a Crown Grant of such portion of the Port Cooper country as may be specified by me, including the harbours of Port Cooper and Port Levy; I understanding, on the part of the New Zealand Company, to compensate the Nana-Bordeaisle Company for any portion of land which they shall prove to the satisfaction of yourself to have been purchased by me in those harbours, and so to which they would be entitled under the arrangement with Lord Stanley, such compensation being given in land in some other part of Banks Peninsula or elsewhere in New Zealand, on the award of three indifferent persons, one selected by the local Government, one by the Nana-Bordeaisle Company, and one by the New Zealand Company, and assessed with reference to the value of the land at the date of the alleged purchases by the French Company.

2. That your Excellency, acting to the spirit of the 13th chapter of the Royal Instructions accompanying the Charter of 1848, should reserve the harbours of Port Cooper and Port Levy, and the sites of towns therein, where they being absolutely necessary for the public purposes of the vast district.
beyond, in which the French have no claim, and which cannot be occupied without these
harbours.

In making these propositions, I beg to observe that Alamos (to which place the French Company's
emigration and expenditure has been exclusively directed) and Yegen Bay, both first-rate harbours,
and several others, would be left open to the French, in the two first of which their rights are
fully recognized by the Natives.

I have also to request your Excellency's attention to another point, which, however, is not
connected with the French claim. The conveyance of the Port Cooper country, executed on the
late purchase of that district by the Government, does, I believe, in terms comprise all the lands
between Kaipori, the southern boundary of the Otago grant, of course including Banks Peninsula,
which I understand is not excepted in the deed. I am informed that the Peninsula was coloured green,
as indicative of its being encompassed by the French Company. The Natives now assert that the
Peninsula was not sold, and that Port Cooper and Levy consequently do not belong to the
Government.

If it were a mere question whether a small additional payment should be made, there would
perhaps be no great difficulty in this; but I hope that your Excellency may be able to feel satisfied
that Port Cooper and Port Levy, as well as the rest of Banks Peninsula, are comprised in the late
purchases from the Natives. If your Excellency should think otherwise, I have the request that the
necessary steps may be taken to extinguish the Natives title to the district in question.

I have, &c.,

William Fox.
Acting Principal Agent, N.Z. Company.

No. 3.

Mr. C. A. Drayson to Mr. Fox.

Sir,—

His Excellency has directed me to acknowledge the receipt of your letter of the 5th instant,
and to inform you that as the arrival of the Bishop may be daily expected, his Excellency thinks it
better to delay replying to this letter until he has had an opportunity of conferring with His Lordship,
who, he understands, has recently visited Port Cooper.

I have, &c.,

C. A. Drayson.
William Fox, Esq., Principal Agent, New Zealand Company.
Civil Secretary.

No. 4.

Mr. J. Thomas to Governor Grey.

Sirs,—

I have the honor to address your Excellency on the subject of fixing the site of the Canterbury
Settlement.

I have examined and surveyed the harbour of Port Cooper and the surrounding country. I find the
harbour good and commodious, and in the district adjoining a vast quantity of land perfectly level, well
watered, and suited for all purposes of agriculture and pasturage.

As far as our chartings and surveys proceeded, we found over 2,000,000 acres of level land, but this
forms but a portion of the district which will depend on Port Cooper as its harbour, for there is good
land and excellent pasturage extending from the Kaikouras on the north to Moerangi on the south, a
coast line of nearly 300 miles, and I am further assured by the Natives that other plains are to be found
by crossing the snowy range, which plains extend to the southern portions of the Island. This country,
therefore, affords natural pasturage for immense numbers of cattle and sheep.

The proportion of wooded land to open is good, but it is often found inconveniently situated. The
facilities which the plains offer for the construction of roads, and the water communication afforded by
the lakes and rivers will in a great measure remove this difficulty. Coals are also found at Arorangi,
Timaru, and Moerangi, and I have little doubt we shall find them in other places more contiguous to
Port Cooper. Should this be the case it will remove all fear as to the price of fuel, which, depending
on firewood only, might be scarce and dear in the early stages of the Colony in some districts of the
settlement.

The principal points to which the Association directed my attention in selecting a site were—

1. A good and commodious harbour.
2. A block of 1,000,000 acres.
3. A district so removed from Natives and other settlements that it may be formed into a

separate Province with its own institutions.

These objects would be obtained by placing the settlement in the Port Cooper District.

My instructions say, "Should the search for and selection of the site be left entirely to yourself,
it will be absolutely necessary, before you determine finally upon it, and proceed with the surveys,
that you obtain the consent in writing of the Governor and the Bishop; or, should either of them have
died or left the Colony, of the one who shall survive and remain."

In accordance, therefore, with these instructions, I have to solicit from your Excellency (so soon
as you have conferred with the Bishop) your written sanction to Port Cooper as the site of the
Canterbury Settlement, on receiving which I shall proceed with my surveys.

I have, &c.,

J. Thomas.
Agent and Chief Surveyor, Canterbury Settlement.

His Excellency Sir George Grey.
No. 5.

Mr. C. A. Dillon to Mr. Fox.

Civil Secretary's Office, Auckland, 27th April, 1848.

Sir,—

I have the honor to refer you to my letter of the 12th instant, acknowledging the receipt of your despatch dated 9th April, 1848, on the subject of the selection of Port Cooper as the site for the proposed Canterbury Settlement.

In further reply to that letter, His Excellency the Governor-in-Chief has instructed me to inform you that, in reference to the first point raised in your letter of the 9th instant, relating to the claim of a French Company to Banks Peninsula, upon referring to Lord Stanley's Despatches, No. 7, of the 7th July, 1845, and No. 26, of the 16th August of the same year, he concurs with you in thinking that the arrangement which Lord Stanley sanctioned with the French Company was one of grace and favour only. He also finds that the total extent of land to which the Company are to receive a confirmatory Crown Grant is 30,000 acres, and that he should not under any circumstances think it reasonable that a single body of persons should be allowed to select as small an extent of land in such a manner as to occupy four excellent harbours, thereby virtually rendering valueless the immense tracts of country to which those harbours are the keys, and he should especially not deem it consistent with his duty to permit such an arrangement, when the French Company have already, in being permitted to occupy Akaroa, had ceded to them the principal part of the water frontage of one of the finest harbours in New Zealand. But there appears, in the present instance, a peculiar reason for not permitting Port Cooper and Port Levy to be occupied by the same body of persons that occupy Akaroa; it is, that since the year 1846, this Government have anxiously sought some agent of the French Company to adjust their claim, but have not succeeded in finding one. His Excellency once took the trouble to visit Akaroa for the purpose of trying to bring this adjustment about, but could not find any person there authorized to act upon behalf of the Company. It would therefore, he thinks, be absurd to suppose that a foreign Company should be allowed for a period of more than four years to retain the settlement and occupation of a British Colony, by having kept open, for the purpose of their choosing 30,000 acres of land, four of the finest harbours in the Middle Island.

For these reasons His Excellency will direct the Lieutenant-Governor of New Munster to afford the Canterbury settlement every assistance in his power in procuring such land as they may require at Port Cooper and Port Levy, reserving for the present Akaroa and Pigeon Bay for the French Company—it being understood, if Her Majesty's Government should hereafter require the carrying out of such an arrangement, the French Company shall have the advantages secured to them which are offered on behalf of the New Zealand Company by Mr. Fox in the first proposition contained in his letter of the 9th April.

With reference to the second point contained in your letter of the 9th April, as to whether Banks Peninsula is included in the purchase recently made by the Government, His Excellency conceives that the Lieutenant-Governor of New Munster is the proper person to determine that point after consulting with Mr. Mantell. His Excellency's own intention was that all the Native claims to land, with the exception of the reserves made to them, should be extinguished by the payment of £2,000; but if the Lieutenant-Governor should think that some small payments should, upon account of any misunderstanding, be still made to the Natives for the land now required at Port Cooper and Port Levy, it will direct him to consider the land so required as having been a reserve made upon behalf of the Natives, which they dispose of to Government for the use of the new settlement about to be established.

As you and Mr. Thompson appear to regard it as essential that the assent of the Governor-in-Chief and that of the Bishop should be given to the site which you have selected, if His Lordship raises no objection to the site, with which His Excellency is unacquainted, His Excellency will not hesitate to give his assent to it.

I have, &c.,

C. A. Dillon,
Civil Secretary.

No. 6.

The Lieutenant-Governor's Instructions for Mr. Mantell to proceed to Akaroa.

Mr. Dommett—

8th June, 1848.

Write to Mr. Mantell, and state that, in reference to a conversation I had with him the other day, on the subject of his going down to Akaroa to decide upon the reserves requisite for the Natives on Banks Peninsula, and to extinguish their claims to the residue of that Peninsula, so far as they may not have been extinguished by the late purchase in the Middle Island,—I have now to request that, if possible, he will endeavour to be ready to proceed to Akaroa by Monday, the 18th instant, as an opportunity will occur of his going down about that time with Captain Thomas. Mr. Mantell will be employed under the same arrangement as to reassignment as was made with him on a former occasion, when he first went down to conclude the negotiations commenced by Mr. Kemp.

Mr. Carrington will be employed as a surveyor to act with Mr. Mantell in marking off such reserves as may be considered necessary for the Natives. Further instructions will be prepared for Mr. Mantell prior to his sailing.

E. Evans.

No. 7.

Memorandum from the Lieutenant-Governor to Mr. Mantell, on his Mission to Banks Peninsula.

Mr. Dommett—

12th June, 1848.

Write to Mr. Mantell in reference to his present mission to Banks Peninsula, and give him the following instructions for his guidance—
Mr. Mantell is aware that in all the negotiations for the tract of country recently acquired in the Middle Island, that portion of Banks Peninsula sold to the French was unintentionally left out of consideration, because the Natives admitted that they had made a sale to the French, and because the extent and position of the land thus sold was not defined; for the same reasons, no reserves were set apart for the Natives, on the occasion of Mr. Mantell's last visit, unlike the limits of the Peninsula.

At the same time, however, the late purchase included the whole of the Native rights and title between the Ngiti-now and the Otagad Block, excepting as regarded their own reserves and the block sold to the French. Now, therefore, the Government are sending down a surveyor to mark off the 30,000 acres which have been awarded to the French Company, it will also be necessary to set apart, under Mr. Mantell's directions, such reserves within the limits of the Peninsula as may be necessary for the present or future wants of the Natives. In making these reserves Mr. Mantell will be guided by the instructions given him when sent down to set apart the reserves required for the Natives in the late purchase in the Middle Island.

There will then be three classes of land in the Peninsula, viz., the block assigned to the French, the Native Reserves, and the residue of the Peninsula, which would come under the terms and conditions of the deed of sale; but as it is possible that the Natives may have supposed that they had disposed of a larger block of land to the French than is awarded them, and that on their coming to take possession of it some additional payments might be made to them, I think it will be only right to consider the extra quantity of land which will be acquired in the Peninsula by the limitation of the French claim in the light of a Native Reserve which, not being required by the Natives themselves, may be given up for the purpose of colonization upon a moderate compensation being given to the Native owners. This compensation will be Mr. Mantell's duty to determine and award upon a full inquiry into the merits of the case upon the spot, and he will be furnished with funds by the Agent of the New Zealand Company for the purpose.

It will of course be necessary that the Natives should be made to comprehend clearly what portion of land has been allotted to the French Company, what are their own reserves, and that to all the residue the title is vested in the Queen by the purchases made.

F. EYRE

No. 8.

Mr. Mantell to the Hon. the Colonial Secretary.

Str,—

Port Cooper, Banks Peninsula, 11th August, 1849.

I have the honor to report to you, for the information of His Excellency the Lieutenant-Governor, that after a long and tedious negotiation the Native proprietors of the Port Cooper district signed yesterday a document conferring that district to Her Majesty, and acknowledging the receipt of £200 as final payment for all lands, etc., in that district.

I have reserved for the Natives two portions of land; the first, 10 acres, more or less, at Paroa, Acheron Bay; the second, 856 acres, more or less, at Ropaki and Kauaumai. As this would at first sight appear excessive, I may state that Mr. Cunningham estimates the extent of arable land in it at less than sixty acres. I have further reserved for them the right of fowling in an isolated wood inland of the Paroa Reserve, called Motukihikura, by the vessel by which I was sent will sail at several places on her way to Wellington, I have begged Mr. Thomas to take charge of my letter enclosing the deed, plan, and maps of reserves, and requested him to forward it to you by the first safe opportunity. I proceed next week to Port Levy.

As the balance now at my disposal (£150) will in all probability be insufficient, I would suggest that the Principal Agents of the New Zealand Company be requested to remit a similar sum of, say, £250.

I have, etc.,

WALTER MANTELL,

Commissioner for Ext. Claims in Banks Peninsula.

The Hon. the Colonial Secretary, Wellington.

No. 9.

Mr. Mantell to the Colonial Secretary.

Str,—

Port Cooper, 11th August, 1849.

I do myself the honor to transmit to you a deed signed yesterday by the Natives of this district, acknowledging the receipt of £200 in full and final payment for their lands.

In accordance with my instructions, I have made for the following reserves:—The first ten acres, more or less, on the Purau Stream, in Acheron Bay, of which I enclose a plan. The Natives' copy is lodged with Temi NAMU, the principal man of Port Cooper. The second, the wood of an isolated bush, about two miles inland of the above, called Motuhikura. The third, a block of 856 acres, more or less, at Ropaki, chiefly consisting of bare precipitous mountains, but containing a considerable extent of wood, and from fifty to sixty acres of arable land.

I have delivered the Natives' copy of the enclosed plan to Apeta Kauaumai. The map affixed to the deed will show you the extent of land, the Native title to which I have been able to extinguish at this place.

The distribution of the payment passed off quietly, and was most satisfactory, the Natives expressing themselves highly pleased at the fairness of the partition of the money. I enclose a table of my arrangement of this, with a rough explanatory tracing.

65
The previous negotiations were most protracted and tedious, and frequently interrupted by the inaccessibility of the weather, the winter here having been unusually severe.

I propose next week to Port Levy.

It will be necessary to extinguish the Native title over the whole Peninsula in the same manner as at this place before the survey of the proposed grant to the Norto-Bordelaise Company can be commenced; the balance, therefore, of the sum originally placed at my disposal will be far from adequate, and I would suggest that the Principal Agent of the New Zealand Company be requested to remit an additional amount of about $600.

As I shall be naturally anxious to hear of the receipt of my present communication and its onerousness, I would beg that you would honor me by acquainting me of its safe arrival.

I have, etc.,

WALTER MANTELL,
Commissioner Brit. N. C.

---

No. 10.

Mr. Fox to the Hon. the Colonial Secretary.

Sir,—

Wellington, 3rd September, 1849.

I have the honor to acknowledge the receipt of your letter of the 30th August, covering one from Mr. Mantell to yourself, reporting the progress of his negotiations for the extinguishment of Native claims on Banks Peninsula. I beg to express my satisfaction at Mr. Mantell's success in arranging with the Port Cooper Natives, and, considering the necessity of immediately obtaining that harbor, I think the amount not unreasonable.

As regards the residue of the Peninsula, however, I should hope that, considering that the land was more or less sold to the French Company, and that a larger reserve was made at Kalapo than requisite for the Natives there, on the express ground of the promise of the Port Levy Natives to quit the latter place, I hope that Mr. Mantell may be able to complete the transaction without any considerable outlay.

I am prepared to make the advance requested by Mr. Mantell, but feel the same difficulty as on a previous occasion in reference to the custody of the money. As future payments will be made at or near Akaroa, I beg to suggest that the money should be intrusted to the Sub-Treasurer there, Mr. Watson, I sending it as far as Port Cooper, whence it could be transmitted overland. I shall have an opportunity of sending by a respectible party in a week or ten days.

I have, etc.,

W. FOX,
Principal Agent, N.Z. Co.

---

No. 11.

Mr. Mantell to the Hon. the Colonial Secretary.

Sir,—

Koukourata, Port Levy, 5th September, 1849.

Proclaiming by a vessel bound to Wellington from Port Cooper, I do myself the honor of reporting to you that my negotiations here are at length proceeding satisfactorily, the survey of the Native Reserves at this place being now in progress. When I shall have completed my arrangements here, but two districts (Akaroa and Waitewa) will remain for consideration.

I would, in conclusion, beg that the additional funds requested in my letters of the 11th ultimo be remitted to me at your earliest convenience. Some small increase of the sum then requested may eventually be requisite, in which case I shall do myself the honor of forwarding a requisition from Akaroa.

I have, etc.,

WALTER MANTELL.

---

No. 12.

Mr. Fox to the Hon. the Colonial Secretary.

Sir,—

New Zealand Company's Office, Wellington, 18th September, 1849.

I have the honor to acknowledge the receipt of your letters of to-day's date, covering one from Mr. Mantell to yourself relative to the negotiations intrusted to that gentleman at Banks Peninsula. I have much satisfaction in learning that he has succeeded in arranging with the Port Levy Natives.

I refer to the additional funds requested by Mr. Mantell. I beg to inform you that I transmitted to Captain Thomas at Port Cooper, ten days ago, the sum of £200, as then requested, the safe arrival of which has since been reported. As Mr. Mantell seems to think that a small increase on this amount may be required, I shall be prepared to make it on your requisition, being anxious to complete the purchase of the Peninsula, and having great reliance on Mr. Mantell's discretion. I should think that £100 or £150 more ought to be the extreme limit; though, rather than leave the matter incomplete, I might go as far as £2,000 in the whole, inclusive of the two sums already sent.

I have, etc.,

WILLIAM FOX,
Principal Agent, N.Z. Company.
Plan of Native Claims

Bank's Peninsula

Proposed Reserves

- 1200 acres more or less
- 360 acres
- 30 acres
- 50 acres
- 500 acres

1880 acres more or less
MEMORANDUM by the LIEUTENANT-GOVERNOR on Mr. Fox's Letter of the 18th September.

Mr. Domett,—
Inform Mr. Mantell accordingly, by the very first opportunity, but at the same time express strongly upon him that the maximum named by Mr. Fox is not to be the minimum, and that I rely on his using every exertion to procure the necessary census from the Natives as economically as possible, as, under the circumstances of the whole case, the N.Z. Company have every reason to expect this, and the Natives have already been so well compensated for their claims generally that they could only anticipate the additional payments now making as an act of grace, arising out of the unsettled state in which the French claim was at the time the purchase was made by Mr. Kemp, and in satisfaction of any equitable claims upon the additional portions of the Peninsula required by the Company, not included in Mr. Kemp's purchase or in the French claim.

18th September, 1849.

E. EYRE.

---

No. 14.

Mr. Mantell to the Hon. the Colonial Secretary.

SIR,— I have the honor to announce to you the conclusion of my negotiations relative to the "Port Lory Block," and to transmit to you the Natives receipt for the amount (£200) awarded and distributed to them by me, with an annotated map of the lands, the Native title of which has been extinguished by this payment.

I enclose also a map of the only reserve in the above district.

Besides the stipulation mentioned on the receipt for the money, I have, on the part of the Government, guaranteed that a small grave at the head of Pigeon Bay, where an infant child of John Tiku is buried, shall be undisturbed until a cemetery be consecrated there, when, should it not include this grave, the remains are to be removed to it.

I have, &c.,

WALTER MANTELL.

---

No. 15.

Mr. Mantell to the Hon. the Colonial Secretary.

SIR,— I do myself the honor of submitting to you for the information of His Excellency the Lieutenant-Governor the following report of the circumstances under which I have felt it necessary to discontinue my negotiations for the extinction of the Native claims in the Akaroa and Wairau Districts of Banks Peninsula, of which I enclose an explanatory sketch.

Throughout the conference which I have held with the Natives they have conducted themselves, as usual, in the most modest and tranquil manner. Their demands, as shown in the accompanying map, extended to block covering the harbour, and containing at least 15,000 acres. This, they assert, was always excepted from previous purchases; but, after a careful review of such evidence as I have been able to procure, I have felt it my duty to deny their claims to any such block, the only exceptions from their former sales having been their residences and gardens.

The award which I made and communicated to the Natives was as follows:

Reserves.

| 1. At Akaroa, on Ohuak, say | ... | ... | ... | 350 acres |
| 2. Waimai and Ohao, say | ... | ... | ... | 1,500 |
| 3. At Wairau, at the Kaikoa, say | ... | ... | ... | 30 |
| 4. In one or two blocks around their gardens | ... | ... | ... | 300 |

Making a total of, say | ... | ... | ... | 1,880 |

Payment.

A sum of £150.

On the rejection of this proposal by the Natives two courses were open to me—to commence the survey of the reserves in defiance of threatened resistance, or to return to Wellington and explain personally the state of the question. In the former case a collision would have taken place to no good purpose, as the survey must have been stopped; and Mr. Carrington, who was engaged on the eastern boundary of the Nanto-Bordelais grant, would, on attempting to resume that duty, have assuredly been prevented by the Natives.

The principal instigators are John Tiko, John Tapu, and Tamakakora. There are in all about fifteen head proprietors of the district. They are actuated partly by prejudice against the English, instilled and fomented by some foolish members of the French community, and partly by a confident hope that M. de Belligny will still return and make them some enormous payment. Another curious ground on which they base their extortionate demands is, that they must be compensated beforehand for the risk which they run of incurring the anger of the French by acknowledging the supremacy of the English Government.

I have, &c.,

WALTER MANTELL.
No. 17.

Mr. Domite—

Inform Mr. Mantell that I quite approve of the course he has taken, and think that he had better leave the question as it stands for the present, as the two blocks claimed by the Natives and not yet arranged for are unimportant, for the objects of either the French claim, the Canterbury Association, or the New Zealand Company, and they may be arranged more easily hereafter. Mr. Mantell probably is not aware that the English N.Z. Company have purchased all the rights and interests of the French claim; at least I am so informed by their Agent here, Mr. Fox.

3rd December, 1840.

G. E. T. E.

No. 16.

MEMORANDUM by the LIEUTENANT-GOVERNOR on the above.

Mr. DOMITE,—

Inform Mr. Mantell that I quite approve of the course he has taken, and think that he had better leave the question as it stands for the present, as the two blocks claimed by the Natives and not yet arranged for are unimportant, for the objects of either the French claim, the Canterbury Association, or the New Zealand Company, and they may be arranged more easily hereafter. Mr. Mantell probably is not aware that the English N.Z. Company have purchased all the rights and interests of the French claim; at least I am so informed by their Agent here, Mr. Fox.

3rd December, 1840.

G. E. T. E.
Plan attached to
Purchase of Port Cooper
10th August 1859.

Her Majesty the Queen of Great Britain
August 10th 1859, Port Cooper.

[Signature]
Walter Mantlo
Commissioner.
TRANSMISSION OF PORT COOPER DEED.

LORDS, all people! We, the chiefs and people of Te Whakaraupo (Port Cooper), that is to say, of all the lands lying on either side of Te Whakaraupo, a plan of which is attached, have signed our names and made our marks in token of our consent, for ourselves, our relatives, our children, and our descendants after us, tocede finally all the lands of which the boundaries are described in this deed of sale, to Her Majesty the Queen of Great Britain, her heirs and successors, as a lasting possession for her or for the Europeans who may be allowed by her, that is to say, by His Excellency the Governor to become possessors of these lands:

And whereas we have agreed to cede finally all the lands which are within the boundaries hereafter to be described, Mr. Mantell, Commissioner for the extinguishment of Native Claims, by virtue of the powers vested in him by His Excellency the Lieutenant-Governor of the Province, agrees to pay us two hundred pounds, which we have received by the hands of Mr. Mantell in full payment for the said lands.

Now these are the boundaries of the lands which we have finally ceded—The inland boundary commences at the mouth of Opawa, thence along the boundary described in the plan attached to Mr. Kemp's deed dated the 12th June, 1849, to Whiora. The outer boundary commences at Kaikakapa, thence by Te Pouna, thence by the Ahupatiki Ridge to Whiora, following the line of the said mountain to Kaineswarawari; but the survey plan will accurately show the description of the land; and we hereby cede for ever all the land, with all belonging thereto, which lies within these boundaries, excepting the portions reserved for us by Mr. Mantell, Commissioner.

The first portion reserved for us is the land at Purao, estimated to contain nine acres, as surveyed by Mr. Octavius Carrington, Surveyor, and as pointed out to Temi Nohomatua, to Kautumani, to Temi Tukutuku, and to Temi Kokorau, in the presence of Joseph Thomas, Esq, on the 25th July, 1849.

The second. We are to have the use of the trees in the bush called Mopokokira for firewood, but the land is not for us but for the Europeans. That piece also was pointed out to Temi Nohomatua and others by Mr. Mantell, Commissioner, and Mr. Carrington, on the 26th July, 1849.

The third: The piece of land called Rapaki and Takabarua, of which these are the boundaries as pointed out to the Moriori by Mr. Carrington, in the presence of Joseph Thomas, Esq, and Mr. Mantell, Commissioner. Commencing at the point standing on the point at Othecollis, thence it runs up and along the ridge, following the marks shown by Mr. Carrington, and on to Te Upokokauri, thence following the course of the small river called Neohomatua to the small stream called Okaewaka, thence along the cliff to the inland side of Takabarua.

All these boundaries are correctly shown in the plan made by Mr. Carrington.

These are the whole of the places reserved for us within the boundary for Her Majesty the Queen of Great Britain, and Mr. Mantell, Commissioner, agrees that these places shall be permanent possession for us, and for our descendants after us for ever.

We also agree not to sell to the Europeans those places which have been reserved for us without the consent of His Excellency the Governor, and we further agree not to allow Europeans to occupy these places without the consent of His Excellency the Governor; and we further consent to leave to His Excellency the Governor the decision as to the main lines of road which His Excellency the Governor may hereafter agree to have made within the boundaries which are herein reserved for us.

And in token of our true consent to all the provisions contained in this deed of cession, which has now been read over to us, we sign our names, and make our marks; and in token of the assent of Her Majesty the Queen of Great Britain to all the provisions contained in this deed, the name of Mr. Mantell, Commissioner for the extinguishment of Native Claims, is hereunto affixed.

This deed was made at Okepepaeo, Te Whakaraupo (Port Cooper), on the tenth day of August, one thousand eight hundred and forty-nine.

[Here follow the signatures.]
<table>
<thead>
<tr>
<th>Name of the Land named by</th>
<th>Names of those elected by the Native to receive each portion</th>
<th>Amount awarded and paid.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Titi Nohomumu</td>
<td>Nohomumu, Tho Tukuula, Titi Xohorara To Eora</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>2 Togo Te Uki</td>
<td>Togo Te Uki, Apoena, Pokonu</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>3 Apetara Kautanu</td>
<td>Kautanu, Fokana</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>4 Tuhuku</td>
<td>Tuhuku, Kautanu</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>5 Titi Kasi</td>
<td>Titi Kasi, Tuhuka (Billy)</td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

Total amount distributed: £200

Walter Mantel, Commissioner.

---

No. 19.

Deed of Sale, Port Levy Block, 25th Sep. 1839.

Haumana, the Chief, desires to sell to me the land on which he has erected a house, for the sum of £200.

The persons named in the third column were unanimously elected by the Natives themselves, in full meeting on the 9th instant. They afterwards subdivided the money in such manner that every one obtained a share. — W. B. D. M.

Walter Mantel, Commissioner.
PORT LEVI BLOCK

BANK'S PENINSULA.

NEW ZEALAND.

September 26th 1849

Walter Mantell

Captain

Scale 1

10 M. Les (Nautical)
TRANSLATION OF PORT LEVY DEED.

HEARERS, O all ye tribes! We, the chiefs and all the people of the whole of the lands included within the boundaries about to be written, which are here delineated, have written our names and marks as a consent given for ourselves, our relatives, and descendants, which may be held after us, for the whole of our lands, the boundaries whereof are described in this deed of land sale, to be completely handed over to Her Majesty the Queen of Great Britain, her heirs and successors, to be a permanent possession for Her or the Europeans to whom She or His Excellency the Governor may grant it; and forsuch as we have consented that our lands, the boundaries of which are about to be described, to be completely handed over, and forsuch as Mr. Mantell, Commissioner under the powers delegated to him by His Excellency the Lieutenant-Governor of the Province (for such purposes), has consented that we be paid in the sum of three hundred pounds (£300), which we have received from the hands of Mr. Mantell as a final payment for these lands.

Now these are the boundaries of the land, immediate possession of which we surrender: The boundary on the eastern side commences at Kairau, thence directly by Te Pukenui, and over the Ahuputahi ridge, coming out at Waikora, to the continuation of that mountain to Kuhaukravara, that is by the outer boundary of Nikonuthu and others. The outer boundary commences at Whakarei, thence along the boundary traced on the map annexed; it adjoins the sea at Pohutupa (Fly or Fien Bay).

But the real outlines and boundaries of this land are more particularly to be found in the accompanying map, and the whole of the land, and all appurtenant to it within the boundaries (excepting the portion of land reserved for us by Mr. Mantell), have been entirely surrendered by us. The following is the piece which is being reserved for us:—The portion of land at Kukouraratia, these are the boundaries of that piece which also were pointed out by Mr. Octavian Carringdon and Mr. Mantell to Apure Pukenui Himeira and other men of us, and which also have been marked with posts and stones, which have been enscribed with red ochre (Eckowai) The boundary commences at a certain post at Reruitubertani, thence ascending and along by certain posts planted by Mr. Carringdon until it reaches a certain post at Watamereki, thence crossing straight over to Te Upokeohinetu, thence along the ridge of the mountain, that is to say by the posts to Kurumere, thence descending by the ridge, that is to say by the posts, to the sea at Puketu, but the real outlines and marks are to be found in the plan made by Mr. Carrington, Surveyor. This, then, is the final disposal of the lands being reserved for us within the boundaries (of the land) for Her Majesty the Queen of Great Britain; and that piece of land Mr. Mantell, Commissioner, also consents should be left as a permanent possession for us and our descendants after us for ever.

We also agree that this land reserved for us shall not be sold to Europeans, nor Europeans be allowed to settle there, until the consent be first obtained of His Excellency the Governor: and we also consent to let it be for His Excellency the Governor to decide with regard to roads to be made hereafter, for them to be quietly arranged within the boundaries which have been reserved for us. Also pieces for cultivation, and all settlements outside our own boundaries, must be given up within this year 1849 by us, the Maoris, so that these lands may be unoccupied, besides the houses and cultivations at Te Whakarem (Pigeon Bay) and these are the regulations affecting these houses and cultivations at Te Whakarem (Pigeon Bay): These cultivations which at the present time are in process of tillage must be quietly cultivated (continue to be cultivated) during this and the next
year; but in the year 1811 all those cultivations and settlements must be left by the Maoris, so as the land may be open for the Europeans, and no cultivations must not be cleared in that locality. Ta Whakarui (Pigeon Bay).

And in testimony of this our final consent given to all the conditions in this deed of land sale which has now been read aloud to us, we write our names and marks; and in testimony of the consent given by Her Majesty the Queen of Great Britain to all the conditions of this deed, the name of Mr. Mantell, Commissioner for the extinguishment of Native Claims, is also affixed.

This was written at Koukourara (Port Lory), on the twenty-second day of September, 1840.

Amoa Pokenui, and twenty-five others.

Names of witnesses—
Octa. Carrington, and others.
PAPERS RELATING TO CLAIMS MADE BY CERTAIN NATIVES TO QUAIL ISLAND.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>June 1, 1862</td>
<td>Colonial Secretary</td>
<td>Mr. J. B. Godley</td>
<td>Forwarding claims by Natives on Quail Island.</td>
</tr>
<tr>
<td>2</td>
<td>May 17, 1862</td>
<td>Mr. Martell</td>
<td>Mr. J. B. Godley</td>
<td>Report on more claims, deciding them on a basis.</td>
</tr>
</tbody>
</table>

No. 1.

The Hon. the Colonial Secretary to the Agent of the Canterbury Association.

Sir,—Colonial Secretary's Office; Wellington, 1st June, 1862.

I am instructed by His Excellency the Governor-in-Chief to transmit, for your information, copies of the translations of two letters from Native residents at Port Cooper, in which they prefer a claim to Quail Island; at the same time, I am to forward to you a copy of Mr. Martell's report on the subject.

I have, &c.,

J. B. Godley, Esq.,
Agent, Canterbury Association, &c., Lyttelton.

[Signature]

ALFRED DOMETT,
Colonial Secretary.

Enclosure 1 in No. 1.

[Translation.]

Lyttelton, 24th March, 1862.

Mr. Martell, the Governor-in-Chief.

Greeting: My address to you is this: with reference to the conversation I had with you on board the ship, referring more particularly to the island which stands close by—Te Kawakawa is the name of that island. I was present when it was paid for by Martell. Only the head within the Port Cooper District did I witness the payment of by Martell; viz., the land on this side and on the other side also. That island was separated from it because it is a space of water lies between. What I think is, that I should still keep possession of that island as grazing land for my cattle, since it is not right that they should remain on the mainland for our purpose. Because if they trespass on the Europeans' land, they will require payment, and where is the money to come from?

Tama,
Peetora.

Enclosure 2 in No. 1.

Mr. Martell,

If you consent to any further payment for that island, let the payment be given to me. When Port Cooper was paid for by Martell, I received the payment. When ‘Tei’ (her husband probably) died, the Natives of Port Cooper had no chief remaining. In this case, let the payment come to me. Those persons who have conferred with you and have land of their own, for which they received payment. If you consent to any payment being given, write me a letter to that effect.

Governor Grey.

[Signature]

Wakitau.

No. 2.

Report on Letter (24th March, 1862) of Tama and Petora claiming Quail Island, in Port Cooper; and on that of Wistikau, requesting that, if further payment be given for that island, the money be given to her, and not to the above claimants.

Dunedin, 17th May, 1862.

Walter Martell.

[Signature]
PAPERS AND DOCUMENTS RELATIVE TO THE WAITOHII PURCHASE, QUEEN CHARLOTTE'S SOUND.

SCHEDULE.

<table>
<thead>
<tr>
<th>No. of Despatch</th>
<th>Date</th>
<th>Name of Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Feb. 1, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Stating that the adjustment of the differences between the New Zealand Company and their settlers at Nelson depended on the acquisition of a tract of country called the Waitohi, and narrating the steps that had been taken to effectuate the purchase.</td>
</tr>
<tr>
<td>2</td>
<td>Dec. 30, 1849</td>
<td>...</td>
<td>...</td>
<td>Translation of the agreement made between the Governor, Mr. Bell, and the Natives, respecting the land at Waitohi.</td>
</tr>
<tr>
<td>3</td>
<td>April 7, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Referring to arrangements that had previously been made respecting the purchase of Waitohi, and enclosing an extract from a letter received from the Superintendent of Nelson on the subject.</td>
</tr>
<tr>
<td>4</td>
<td>Mar. 27, 1849</td>
<td>Major Richmond</td>
<td>Governor Grey</td>
<td>Reporting his proceedings at Waitohi.</td>
</tr>
<tr>
<td>5</td>
<td>Aug. 4, 1849</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Reporting that the Waitohi Purchase had been satisfactorily completed.</td>
</tr>
<tr>
<td>7</td>
<td>June 26, 1849</td>
<td>Major Richmond</td>
<td>Governor Grey</td>
<td>Copy of Report on the Waitohi Purchase, enclosing copy of Orcaus.</td>
</tr>
<tr>
<td>8</td>
<td>Mar. 4, 1849</td>
<td>...</td>
<td>...</td>
<td>Copy of Despatch. Copy of original in Moch.</td>
</tr>
</tbody>
</table>

No. 1.

DESPATCH FROM GOVERNOR GREGY TO EARL GREY.

MY LORD,—

Government House, Auckland, 1st February, 1849.

1. Adverting to my Despatch No. 82 of the 9th October last, in which I detailed the steps which, in compliance with the instructions contained in your Lordship's Despatch, I had taken for the purpose of arranging the points in dispute between the New Zealand Company and their settlers, which still remain unadjusted, I have the honour to request your Lordship's attention to the statement I then made, that I found that the differences between the New Zealand Company and their settlers at Nelson had, in point of fact, been adjusted, and that therefore there appeared no reason for my interference in the affairs of that settlement.

2. In making that statement, I omitted to mention that the adjustment to which I alluded was dependent upon the Company being able to purchase from the Natives a tract of country called the Waitohi, together with the adjacent harbour, which harbour and tract of country forms, in fact, the key to the fertile district of the Waitai. Unfortunately, after I addressed to your Lordship my Despatch of the 7th October last, it was found that the Natives would not dispose of the Waitohi, and the Company were thus precluded from giving this lead out to their settlers, in conformity with the terms of arrangement which both parties were anxious to adopt.

3. As the interests of the Natives did not in any way require that they should retain the Waitohi, and as there appeared no reasonable grounds for their pursuing such a course, which was clearly adverse to their own interests, I thought that some misunderstanding in reference to the supposed intentions of the Government with regard to Waitohi must have arisen; and, therefore, in conformity with the promises I had made to your Lordship in my Despatch of the 7th October last, that I would give every aid in my power to complete the adjustment of the differences existing between the Company and their settlers, I thought it my duty to proceed to the Waitohi, with a view of having an interview with the Natives of that place, and of inducing them, if practicable, to complete an arrangement which promised to be so advantageous to both parties.

4. I am happy to be able to state, that with the assistance of Mr. F. D. Bell, the Agent of the New Zealand Company, I completed, upon the 30th December last, an arrangement for the purchase of the Waitohi which was quite satisfactory to the Natives, and which will now enable the New Zealand Company, without further delay, to complete the whole of their arrangements with their Nelson settlers.

5. I have the honour to enclose for your Lordship's information, a copy of the agreement which was entered into with the Natives on this occasion.

I have, &c.,

The Right Hon. Earl Grey.

G. GREY.
No. 2.

[TRANSLATION]

MEMORANDUM of the AGREEMENT made between the Governor, Mr. Bell, and the Natives, respecting the LAND at Waitangi.

The place (Waitangi) has been given up by the Natives to the Governor, for a residence for him and the white men. The pa, the harbour, the gardens, and the cultivations, have all been given up. Hereupon the Governor, for his part, will perform the things that are written down below in this memorandum.

1. He and Mr. Bell will survey a Native town, a new town at Waikawa, for the residence of the Natives for ever. Town lots will be surveyed, like to those which the Governor surveyed for the Natives at Otaki.

2. They will also survey sections outside the town for garden grounds and cultivations for the Natives.

3. They will also plough the land, and will provide seed wheat for the land so ploughed. However, the quantity of land to be ploughed is to be equal to the quantity of ground already cultivated by the Natives at Waitangi. But if the Natives prefer cultivating or ploughing the land themselves, then will they be paid for their labour according to the work done.

4. A wooden church shall also be built—a place of prayer to our Saviour. The Governor and Mr. Bell will build it within the town at Waikawa.

5. And to finally conclude the payment for Waitangi, for the harbour, for the gardens and cultivations, and for the land, the Governor will pay one hundred pounds once told. When the payment is made the Natives shall leave Waitangi, and shall give it up to the Governor, to Mr. Bell, and to all the white men, for their residence for ever.

Now we, the Natives, have written our names, and the Governor and Mr. Bell theirs. We have all of us written our names to this paper, that thereby may be thoroughly known our entire agreement and consent to all the words and agreements contained in the same.

At Waitangi, 30th December, 1840.

No. 3.

DISPATCH from GOVERNOR GRIFFITH to EARL GREY.

My Lord,—

Government House, Auckland, 7th April, 1846.

In reference to my Dispatch No. 3, of 1st February, 1846, in which I reported the arrangements I had made for the purchase of the district of the Waitangi, to enable the New Zealand Company to fulfill their engagements with the Nelson settlers, it is in my power, although I have not yet received officially the details of the final arrangements which have been made, to transmit for your Lordship's information the enclosed extract of a letter which I have received from the Superintendent at Nelson, dated 27th March last, from which your Lordship will see that I have been fortunate enough to have fully succeeded in carrying out your wishes that I should make such arrangements as would enable the New Zealand Company to complete the engagements they had entered into with the Nelson settlers.

The Right Hon. Earl Grey.

No. 4.

Major Richmond to Sir George Grey.

Nelson, 27th March, 1840.

My dear Sir,—

In compliance with your Excellency's instructions, I proceeded the latter end of last month to the Waitangi, accompanied by the Resident Company's Agent, to carry out the details relating to the purchase of that district, and am happy to say that the Natives so well understand the arrangement your Excellency has entered into with them, that I was able, without any difficulty, to accomplish them to their entire satisfaction, and the cordial concurrence of the Resident Company's Agent. The chief Ropouni was appointed by the tribe to settle with me the particular specified in the memorandum of sale, and they were so pleased with the arrangements that they came in the evening to the house I occupied, and willingly, without one exception, affixed their signatures to a document I had prepared expressive of their satisfaction at the sufficiency of the reserve, and acknowledgment of the boundaries therein detailed.

The spot selected for the village is on a dry fern slope, at the junction of the streams which run through the reserve with the waters of the Sound in Waikawa Bays; and the land for their cultivation will be laid out immediately behind. Natural boundaries have been selected which comprise between 800 and 100 acres of level ground, of which about 200 are available for cultivation. There is a considerable extent of forest land, and some land for culture, which the Natives requested to have for the pasture of their cattle, so that they should not trespass on the settlers' land. This will all be given in a plan which Mr. Jollie has directed to be made, and for which I am waiting before I forward an official dispatch; but as the Government barge has touched here on its route to Auckland, I thought it would be satisfactory to your Excellency to have these few hurried lines, making you aware of the result of my visit, and that nothing exists to retard the progress of that town and district. I hope to have the plan to enable me to send the several documents by the "Orakei," which is expected here shortly.

I have, &c.,

M. Richmond.

His Excellency Sir George Grey.
No. 5.

Diplomat from Governor Grey to Earl Grey.

My Lord,—

Government House, Auckland, 4th August, 1849.

In reference to my Despatches, No. 8, of the 1st February, and No. 46, of the 7th April last, relative to the purchase from the Natives of the Valley of the Waitohi, I have now the honor to transmit for your Lordship's information the final report of the Superintendent of Nelson upon this subject, from which your Lordship will find that the whole matter has been satisfactorily and conclusively arranged upon the basis which had been previously agreed upon, and that there is now no difficulty in the way of the New Zealand Company completing their arrangements with the Nelson settlers.

Great credit is due to Major Richmond, and to Mr. Bell, the Agent of the New Zealand Company, for the manner in which they conducted the negotiation. Major Richmond's report also affords a very interesting view of the increased confidence which the Natives repose in the Europeans, and of their anxiety to obtain employments as labourers, whenever an opportunity offers of their doing so.

I have, &c.,

G. GREY.

No. 6.

Major Richmond to the Civil Secretary.

Sir,—

I do myself the honor to forward the accompanying report relative to the arrangements connected with the purchase of the Waitohi District, which His Excellency the Governor-in-Chief wished to be made direct to himself. The Company's surveyors having been detained at Waitohi longer than they contemplated, has caused some delay in forwarding the report, but I trust it is only yesterday that I received the instructions from the Resident Agent

I have transmitted copies of all the documents to His Excellency the Lieutenant-Governor for his information.

I have, &c.,

The Hon. C. A. Dillon, Civil Secretary.

Superintendent.

No. 7.

Major Richmond to Sir George Grey.

Sir,—

On my arrival at Waitohi, where, as instructed by your Excellency, I proceeded, in company with the Resident Agent of the New Zealand Company, I found the Natives so thoroughly conversant with the conditions attached to the sale of that district, and the arrangements entered into by your Excellency, that I had no difficulty in carrying them out to their entire satisfaction, as well as with the cordial concurrence of the Company's Agent.

In certifying to the points required by your Excellency's Minute, a copy of which is herewith enclosed, I have the honor to report as follows:—

1. That I personally inspected the several gardens and cultivations of the Natives in the Waitohi, which measure 99 acres; so that the Company's Agent and myself agree, that 9 should be added for any small unmeasured patches there may be, making a total of 95 acres.

2. The reserve allotted in Waikawa Bay contains 280 acres of level land, of which about 200 are available for cultivation, and in addition, as will be seen by the accompanying tracing, a large tract of forest and waste land. The boundaries are well defined, being the summit of the hills on either side, till they descend to the water at the cape which forms the Bay of Waikawa, and the back or inland boundary is the ridge of the first rising ground from the beach; and as this is the principal one, dividing, as it does, the European from the Native land, it has been further marked off by stakes. The enclosed documents, signed by every Native there at Waitohi, and the conus I caused to be taken at the time, will certify to your Excellency the satisfaction of the Natives at the sufficiency of the reserve, and how ample it is for their future operations and wants.

3. The site of the village was selected by the chief, Haporua, on behalf of the rest of the Natives, and a more eligible one could not have been taken; it is situated in the centre of the Bay, at the junction of a stream that flows through the centre of the reserve with the waters of the Sound, distant about two miles by land and a mile further by water, from the site which has been fixed upon for the town at Waitohi.

The Resident Agent of the Company purposed to lay out 20 acres for the village at this spot, and immediately adjacent 95 acres, equivalent to what the Natives resign at Waitohi, for their cultivations.

Every precaution that suggested itself has been taken to prevent future disputes or misunderstanding, and from the manner in which the whole of the resident Natives expressed their satisfaction at the arrangements, I do not apprehend any interruption of the good feeling that now exists, or that anything will occur to retard the progress of the town at Waitohi, which as a shipping port to the Waitau will materially add to the value and increase the prosperity of a district so important to the Nelson Settlement.

I considered it right to reserve for a public landing-place a small portion of level land sloping on the deepest water in Waikawa Bay, as well as the right of reserving a road through the Native Reserve to Waitohi, both of which were cheerfully acceded to by the Natives, and are delineated on the plan.
Having learnt from His Excellency the Lieutenant-Governor that Mr. Fitzgerald’s services could not be dispensed with at Wellington, the Company’s Agent directed his surveyors to lay out the line of road from Waitohi to the Wairau, a tracing of which is herewith enclosed.

From personal knowledge of the Wai Marahau Pass, I consider it a judicious line that Messrs. Ward and Coulter have adopted, and they appear to have arrived at a fair approximation of the expense, as 15 per cent. for incidental expenses is considered rather understated, where the work is at such a distance; and as I believe there will be a greater extent than three miles that will require retolling, the whole expense cannot be estimated under £2,000.

When your Excellency issues instructions for the carrying out of this work, it will meet with every aid from the Natives, as everywhere I touched as in Queen Charlotte’s Sound, during my late visit to Waitohi, and also at the Pa Makihapea, on the Falatau, they were earnest in their inquiries as to the time the road was to be commenced, and in their desire to be employed upon it.

I have, &c.,

M. RICHMOND,
Superintendent.

His Excellency the Governor-in-Chief.

Enclosure in No. 7:

CENSUS OF THE NATIVE POPULATION AT WAITOHI, QUEEN CHARLOTTE’S SOUND, TAKEN ON THE 5TH DAY OF MARCH, 1860, BY DIRECTION OF HIS HONOR THE SUPERINTENDENT.

<table>
<thead>
<tr>
<th>Names of Adults</th>
<th>No. of Children</th>
<th>Names of Adults</th>
<th>No. of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td>Females</td>
<td>M. F.</td>
<td>Males</td>
</tr>
<tr>
<td>Bopoma</td>
<td>Ko Neta</td>
<td>1</td>
<td>Neta</td>
</tr>
<tr>
<td>Tiki Puka</td>
<td>Kawena</td>
<td>2</td>
<td>Tironi</td>
</tr>
<tr>
<td>Moana</td>
<td>Eruera</td>
<td></td>
<td>Mirimata</td>
</tr>
<tr>
<td>Nga Pungareku</td>
<td>Kari</td>
<td>1</td>
<td>Te Naki</td>
</tr>
<tr>
<td>Hahepa</td>
<td>Kor</td>
<td>1</td>
<td>Ko Kor</td>
</tr>
<tr>
<td>Araparoa</td>
<td>Huka</td>
<td></td>
<td>Raiona</td>
</tr>
<tr>
<td>Talu</td>
<td>Mana</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamaora</td>
<td>Kapa</td>
<td>1</td>
<td>Ko Kapua</td>
</tr>
<tr>
<td>Nopera</td>
<td></td>
<td></td>
<td>Raiona</td>
</tr>
<tr>
<td>Hamutara</td>
<td>Timoti</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tinaki</td>
<td>Bopoma</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rotinama</td>
<td>Eruiva</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Honu</td>
<td>Nihana</td>
<td></td>
<td>Honu</td>
</tr>
<tr>
<td>Ngara</td>
<td>Ahirunga</td>
<td></td>
<td>Marakata</td>
</tr>
<tr>
<td>Puna</td>
<td>Arua</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taiko</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hataira</td>
<td>Piriha</td>
<td></td>
<td>Irai</td>
</tr>
<tr>
<td>Tawhi</td>
<td></td>
<td></td>
<td>Maiha</td>
</tr>
<tr>
<td>Taka</td>
<td></td>
<td></td>
<td>Kawata</td>
</tr>
<tr>
<td>Wetanu</td>
<td>Rangihebe</td>
<td></td>
<td>Te Karoro</td>
</tr>
<tr>
<td></td>
<td>Kurse</td>
<td>3</td>
<td>Miti Kowanga</td>
</tr>
<tr>
<td>Makaua</td>
<td>Aienita</td>
<td>1</td>
<td>Te Tawha</td>
</tr>
<tr>
<td>Te Pe</td>
<td>Kio</td>
<td></td>
<td>Ali</td>
</tr>
<tr>
<td></td>
<td>Mirimata</td>
<td></td>
<td>Karawae</td>
</tr>
</tbody>
</table>

Total Adults — Males, 46; Females, 25. Children — Males, 8; Females, 10.

JOHN PETER, 
Interpreter.

No. 8.

$30.

Death of Sale.

Waitohi.

$200.

Spirituous for claims to Waitohi.

Dated 5th March, 1860.

Plan attached.

Turn Deed, written this 4th day of March, 1860: It is agreed by Bopoma, Heni Potaia, Witakua, and Te Rotikana, and the other Natives whose names are written to this deed on behalf of themselves and all the other people who own the land named below. It is agreed between all these Natives and Queen Victoria, Sovereign of England, that whereas, as far back as the 50th day of December, 1848, it was declared by an agreement of Bopoma and the Natives of Waitohi, with the Governor and Mr. Bell, the Agent of the New Zealand Company, to sell to them Waitohi as a settlement for the Pakeha, and to give up the pa at Waitohi, the port, the cultivation, and all of the land at Waitohi. And whereas the payment agreed by the Governor and Mr. Bell to be made for Waitohi was as follows: the surveying of a village at Waitohi, the ploughing of a piece of land near Waitohi as cultivation for the Natives, the building of a wooden house as a chapel at Waitohi, and the payment of one hundred pounds in money, to complete the purchase for the above-named place for Waitohi.
COPY OF ORIGINAL DEED IN MAORI.

KO TETUTI pukapuka i tubituba i tenei wha o nga ra o Maori, 1880, whakamahia o Ropanua, o Hemi Potaka, o Witikana, o Te Beurimana, me etahi atu tangata Maori a i ratou nga ingoa tua tubitubia, ki tenei pukapuka mo ratou ake ano me nga tangata hoki mo ratou katoa te whewa o karangatanga una ki raro nei, whakaainga ano e anu tangata Maori ratou mo te Kunih Wikitoria te Arika Nui o Ngapara Nui, huna ano i te toru te kau o nga ra o Thema, 1845, i whakatakoria te tikanga o te whakamenganga o Ropanua, ratou me nga tangata Maori i Waitohi, i o Kawauna mara ko te Pare te Kairakarake, o te Whakamenganga o Nui Tioene ki-kebura atu o Waitohi ki a rana mo rau kia nohoto a te Pakeha kia tukua atu te pa i Waitohi, mo te wapu, me nga mara me nga mahinga, me te whewa katoe i Waitohi, na ko nga uta uta whakane ai o Kawauna, mara ko te Pare ki uru mo Waitohi, iha ko te rurutanga o te whakaputanga o nga moni kotohia rau pauma he whakamutanga me rau wahi mo Waitohi.

Ko ia, katoa i te rurutanga o te taarme i Waitohia mo nga tangata Maori, whaihoki ko te wharotu katoa he te hunga pae ano, ki te te whewa o nga Maori. Notemua katoa katoa ano i tama te paratutanga o te whewa i karangatanga o hui nei, e hia kia whakata e Ropanua me nga tangata Ropanua me Waitohi, ki te tango i etahi atu mawi rau rau nga pauma he whakamutanga me nga tangata katoa i Waitohi, ki te tango i etahi atu mawi rau rau nga pauma he whakamutanga me nga tangata katoa i Waitohi.

Ko ia, hoki ko te tino tikanga o tenei pukapuka. Koia tenei mo te mea kia haere ana eorou rau pauma moni (mo te whewa tukihua, mo te paratutanga tukirua), ki a Ropanua, me Hemi Potaka, me Witikana, me Te Beurimana mo ratou ake ano me nga tangata katoa hoki mo ratou tana whewa a Waitohi, a whakamahia e ratou he whakatauanga o nga moni, e whakahaere nei a Ropanua me nga tangata a Hemi Potaka, a Witikana, me Te Beurimana, me ratou ake ano me nga tangata katoa ana kia noho atu i Waitohi, kia tuku mawata atu ki te Kunih Wikitoria, me ana tangata me ana whai ake, oratoaka ake te whewa katoa i te Whangara o Waitohi ko te pa, ko te wapu, ko nga ngakunga, ko nga mawata, ko te whewa katoa ki te tukuanga o te awhi ana te whewa kia tahi ki tenei pukapuka, kia ariki katoa nga tino tikanga katoa kia tukua atu ana kia te rurutanga nga nga ngakunga mo te pa me te whewa katoa i Waitohi, kia tukuwha atu mo te Pakeha.

Te kia tuku a Ropanua me nga tangata Maori kia kore ariki kia nei, kia tuku hoki o Te Beurimana te tino Kati whewa o Kunih Wikitoria, kia tuku hoki e te Pare o ratou katoa, a ratou ingoa ki tenei pukapuka, kia mohioha mawata i te tukuwha nga nga tino whakamutanga ki nga tikanga katoa i tukua i ratou i tenei pukapuka.

Witnesses—

Henry F. Burt, Clerk.
Jno. Trumie, Sheriff and Native Interpreter.

M. Richardson, Superintendent.
F. D. Bell, Beadleship Agent, N.Z. Company.
REPORT BY CAPTAIN STOKES, R.N., ON THE SOUTHERN PART OF THE PROVINCE OF NEW MUNSTER.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sept. 24, 1850</td>
<td>Governor Grey</td>
<td>Earl Grey</td>
<td>Transmitting a copy of a report drawn up by Captain Stokes, R.N., describing the character and capabilities of the southern portion of the Middle Island.</td>
</tr>
</tbody>
</table>

No. 1.

DESPATCH from Governor Sir GEORGE GREY to Earl GREY.

MY LORD,—

Government House, Auckland, 24th September, 1850.

I have the honor to transmit, for your Lordship’s information, a copy of a report describing the character and capabilities of the southern portion of the Province of New Munster, as observed in the recent cruise of Her Majesty's ship “Acheron.” This report is drawn up by Captain J. L. Stokes, R.N., and was addressed by that officer to the Lieutenant-Governor of New Munster.

I have, &c.,

G. GREY.

Enclosure in No. 1.

Captain J. Lort Stokes, R.N., to His Excellency the Lieutenant-Governor.

Sir,—

Her Majesty’s Ship “Acheron,” Wellington, 1st September, 1850.

In compliance with your Excellency's request, I have the honor to forward a brief description of the southern portion of this Province, resulting from the “Acheron’s” recent cruise.

In our examination of the seashore from Otago to Preservation Harbour, a distance of 250 miles, there were found only four sandsteaks and one port; and of the twenty-three rivers on this extent of coast line, four only are available for small vessels, and only two, the Waitara and Orari, or New River, for ships of 800 to 400 tons. The latter is of very considerable importance, since it leads to the fertile district hereafter described, and is separated by merely a half-mile passage from the head waters of the Bull Harbour, the last in the Middle Island, having an available block of land within the eastern entrance of Peveraux Strait, and distant 180 miles from Otago.

Our first view of this pastoral land of the Middle Island was from the Bull, a basaltic hill of 855 feet of elevation. Between the points of N.E. and N.W. appeared a large plain, of which the outline suggested the idea of a Bishop’s mitre, and measuring, as was subsequently ascertained, full a hundred miles. Isolated patches of woodland were gregariously dotted over its surface, and a range of rugged snow clad mountains; the highest, distance eighty miles, being 6,700 feet, to which I gave your Excellency’s name, terminated in that direction the present of this extensive landscape. Turning to an opposite direction, the eye rested on Peveraux Strait, then nearing the aspect of a tranquil arm of the sea, some fifteen miles in width, with Stewart’s Island for its southern boundary, and numerous groups of islets occupying the space between shore and shore.

Three large openings in the northern hills show the course of the Aparina or Jacob’s River, winding along the western edge of the plain, that of the “New River” traversing its central part, with the “Natura” running on its eastern side.

The “New River” was ascended in a whale-boat for nearly thirty miles in a N.E. general direction. In that distance the land rose gradually 200 feet by three steps, each change of elevation being attended by corresponding and somewhat dangerous rapids. The depth of water varies from 2 to 8 feet, the width from 50 to 500 yards; the soil on either bank consists of a rich mould, and appeared clothed with trees, or verdant pasture, as the stream wound through clumps of trees, or swept across the open plain. The Natura and Jacob’s River were partially examined by Mr. Hamilton and Mr. Spencer, of the “Acheron,” whilst she was occupied on the shores of Stewart’s Island. They explored the intermediate country and reached Otago in sixteen days, each carrying 30 lbs. weight of baggage, while unexpected accidents frequently increased to 70 lbs., being the first Europeans who had accomplished the journey.

I extract the following passage from Mr. Hamilton’s report:—“The country eastward of the Mollymawk or Clutha, as far as Jacob’s River, offers peculiar advantages for the formation of an extensive settlement. The plain, stretches eastward of the latter stream for a distance of forty miles, comprises at least 300,000 acres of rich soil clothed with fine grass. The timber is everywhere very equally distributed, and the district, taken altogether, seems to vie in natural advantages with the best parts of the Middle Island.”
Eastward again of this plain a chain of densely-wooded hills extend as far as Molyneux District, having towards the sea an elevation of about 3,000 feet. Island, however, they gradually decreased in height, and the masses of forest disappear altogether, giving place to the flax pastureage. This tract, broadest towards the south, where it meets the sea coast, has an area of from 700,000 to 800,000 acres of fertile land. The disappearance of the timber and consequent scarcity of fuel will prevent its subdivision into many small stations or sheep runs. There are indeed some indications of past or turf in this neighbourhood which might be available as a substitute, since some patches were seen in a valley little more than halfway between Tutuarau and the Mataura River. At Tutuarau the soil has proved extremely rich, and potatoes raised by a solitary Maori family resident there exceed in volume those brought by Bishop Selwyn from the Chatham Islands, which were considered as the most remarkable specimens of this sort grown in the Southern hemisphere. 1

Speaking generally, the climate is very equal, although rather wet towards the sea coast; but less so in the interior, as is shown in a remarkable difference in the vegetation of those respective situations, and by Mr. Hamilton's experience of only sixteen rainy days out of forty-six; whilst in the ship, out of seventy-seven, thirty-five were wet.

Snow rarely lies on the low lands, though we saw very thin ice occasionally between 16th March and 1st June. During this interval the temperature ranged from 40° to 60°, but on one or two occasions as low as 32°, and the wind veered from N.W. to S.W.

The proximity of this extent of fertile land to the Otago Block, with which, in fact, it is almost connected, suggests the propriety of closing with the Natives in their present disposition to sell all that remains to them of the Middle Island.

Many parties visited the "Acheron," under the impression and hope that this purchase formed part of our mission; but of course I could only promise that their wishes should be promptly communicated to your Excellency. Previous to our departure, after making out on the charts the reserves they were desirous of retaining, the Maoris, both in Foveaux Strait and at Otago, expressed their desire to sell all the land from Otago to the Western Coast. £2,000 would probably be accepted as purchase money, one-half of which I would suggest should be distributed at Otago, and the remainder at the Bluff, an arrangement securing their fair proportion to all parties entitled to it.

Stewart's Island has an altitude of 2,200 feet. Its coast line is strangely distorted in the charts now in use—the south and excepted, which being once visited by the great navigator "Cook," is laid down with his accustomed accuracy. The eastern and northern sides have several good harbours. Of these Patterson's Inlet deserves particular notice, being nowhere surpassed in New Zealand. It has many convenient baying-down coves, and is generally surrounded by fine timber, such as rimu, rata, black pine, totara, &c. This inlet seems very eligible for a small permanent settlement. On a narrow tongue of land forming its eastern shore are congregated twelve out of the one hundred and seven European inhabitants of Foveaux Strait; they have a few cattle. The other white men live scattered over the north and south shores. Some have passed two-and-twenty years in this solitude, and with few exceptions are married to Maori women, and their daughters are the wives of Europeans also. Their small clearings on Stewart's Island exhibit a fertile though shallow soil.

Of the Maori population, amounting to 280 individuals, now reside at Ruaupuke Island, of the whole of which they seem disposed to keep possession, although portions have been purchased and paid for by Europeans.

A few plants common to the Auckland Isles were also found in Foveaux Strait, and one bird, a snake, excited our curiosity as being the first of this species seen in New Zealand. Respecting some beaver sold to live in these great lakes, whence the principal south-eastern rivers take their rise, no information could be gathered even from the oldest Natives, so that their existence is probably a fable.

A large bird said to exist there seemed to inspire feelings of apprehension and awe.

Indications of coal were observed on only one spot high up the Mataura, but of inferior quality. Lignite exists in the New Bight, where I before omitted to observe about 200 head of cattle are depastured, showing prime condition from the excellent feed.

The navigation of Foveaux Strait being now rendered secure, and a great obstacle to the settlement of its shore being thus removed, I shall conclude my letter with the hope that a spot so eligible as Awarua or the Bluff will not long remain unoccupied. Many of the peculiar advantages possessed by this site I have already detailed; one more may be added, well calculated to bespeak the preference of my countrymen, namely, that it is utterly a fortnight nearer England than any portion of New Zealand now under colonization.

I have, &c.,

J. L. STOKES,
Captain.

His Excellency the Lieutenant-Governor.
### PAPERS AND DOCUMENTS RELATIVE TO THE MURIHIKU PURCHASE, 1853-54.

#### SCHEDULE:

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mar. 19, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Submitting suggestions relative to the contemplated purchase, and partial exploration of the southern part of the Murihi Island.</td>
</tr>
<tr>
<td>2</td>
<td>April 14, 1853</td>
<td>Colonial Secretary</td>
<td>Mr. Mantell</td>
<td>Referring to his communication of the 13th ultimo, relative to the contemplated purchase and exploration of the southern portion of the Murihi Island, and informing him that he would be employed on the service about the middle of August.</td>
</tr>
<tr>
<td>3</td>
<td>Jan. 9, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Transmitting an account of his proceedings since leaving Otago.</td>
</tr>
<tr>
<td>4</td>
<td>Feb. 12, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting his return to Otago from Murihi, and giving a list of the resources made for the Natives.</td>
</tr>
<tr>
<td>5</td>
<td>Feb. 24, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Enclosing a copy of a letter received by the Natives relative to an alleged sale of the Murihi District to the Government by Wakawaro and other Natives in the North Island.</td>
</tr>
<tr>
<td>6</td>
<td>Mar. 26, 1853</td>
<td>Colonial Secretary</td>
<td>Mr. Mantell</td>
<td>Stating that his letter of the 24th ultimo, with its enclosure, had been referred to Messrs. McLean and Kemp, and transmitting copies of their replies on the subject.</td>
</tr>
<tr>
<td>7</td>
<td>Mar. 31, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Forwarding documents relative to his recent journey in the southern districts of Otago.</td>
</tr>
<tr>
<td>8</td>
<td>May 17, 1853</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Acknowledging letter of the 25th March ultimo.</td>
</tr>
<tr>
<td>9</td>
<td>Aug. 17, 1853</td>
<td>Mr. Mantell</td>
<td>Civil Secretary</td>
<td>Enclosing a copy of the deed of cession of the Murihi Block.</td>
</tr>
<tr>
<td>10</td>
<td>Aug. 18, 1853</td>
<td>Mr. Mantell</td>
<td>Civil Secretary</td>
<td>Submitting for His Excellency the Governor's information the circumstances under which the negotiations for the Murihi District had been concluded.</td>
</tr>
<tr>
<td>11</td>
<td>Aug. 19, 1853</td>
<td>Mr. Mantell</td>
<td>Civil Secretary</td>
<td>Requesting that authority be issued to the Sub-Treasurer at Otago, to advance the first installment of the purchase money.</td>
</tr>
<tr>
<td>12</td>
<td>Nov. 7, 1853</td>
<td>Civil Secretary</td>
<td>Mr. Mantell</td>
<td>Acknowledging the receipt of letter of 17th August, transmitting copy of the deed of cession of the Murihi Block, together with maps of reserves.</td>
</tr>
<tr>
<td>13</td>
<td>May 12, 1854</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Receiving original deed of cession, with receipts for the first two installments.</td>
</tr>
<tr>
<td>14</td>
<td>Nov. 20, 1854</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Reporting that the final sum of £2000 had been paid to the Natives.</td>
</tr>
<tr>
<td>15</td>
<td>Dec. 19, 1854</td>
<td>Mr. Mantell</td>
<td>Colonial Secretary</td>
<td>Transmitting the receipts for the additional sum of £200 paid for the Murihi Purchase.</td>
</tr>
<tr>
<td>16</td>
<td>Aug. 17, 1853</td>
<td>...</td>
<td>...</td>
<td>Deed of Sale.</td>
</tr>
<tr>
<td>17</td>
<td>Oct. 3, 1853</td>
<td>...</td>
<td>...</td>
<td>Receipt for first installment of purchase money.</td>
</tr>
<tr>
<td>18</td>
<td>Feb. 17, 1854</td>
<td>...</td>
<td>...</td>
<td>Receipt for second installment of purchase money.</td>
</tr>
<tr>
<td>19</td>
<td>...</td>
<td>...</td>
<td>...</td>
<td>Transmittal of above.</td>
</tr>
<tr>
<td>20</td>
<td>Feb. 16, 1854</td>
<td>...</td>
<td>...</td>
<td>Transmittal of Murihi Purchase.</td>
</tr>
<tr>
<td>21</td>
<td>Nov. 4, 1854</td>
<td>...</td>
<td>...</td>
<td>Receipt for the final payment of £200.</td>
</tr>
</tbody>
</table>

#### No. 1.

**Mr. Mantell to the Hon. the Colonial Secretary.**

Sir,—

In accordance with the desire of the Governor-in-Chief, expressed in conversation on the 10th instant, I do myself the honor of submitting to you, for His Excellency's information, the following suggestions relative to the contemplated purchase and partial exploration of the southern portion of the Murihi Island.

The Native owners of the district reside, I believe, principally on Steward's Island and Rupaka, and a few in the neighbourhood of Otago. The first step would be to assemble and confer with these, and, in company with some part of them, to visit the various settlements on the proposed purchase. I am not aware that there are more than a very inconsiderable number of Natives actually resident in these settlements, and have been informed that these few are mostly mere hangers-on of the Europeans scattered along the coast. With regard to the numerous petty land claims of the latter, I would suggest that distinct instructions be given to the Commissioner for the purchase of the district: on the
question of Native Reserves also, as some may be necessary, I should wish to be fully instructed. In carrying out the spirit of my instructions on the block purchased by Mr. Kemp, I allotted on an average ten acres to each individual, in the belief that the ownership of such an amount of land, though ample for their support, would not enable the Natives, in the capacity of large landed proprietors, to continue to live in their old barbarism on the rents of an uncultivated extensive domain.

With respect to the equipment necessary, it must be borne in mind that in parts, especially toward the West Coast, overland communication is reported to be impracticable; I would therefore recommend the chartering of a seerviceable coaster, sufficiently large to carry a useful load: the vessel, if such a course were sanctioned by Government, might be useful in payment for the territory to be acquired; in such a craft, too, the Natives resident on the western portion of the block purchased by Mr. Kemp might be visited, and some idea obtained of the nature and value of that country.

I have been unable to ascertain what season is the best for such an expedition: I may state, however, that from experience I have had of the climate of the Middle Island, the earliest spring (July and August) would be the most favourable time for commencing it. The first harvest would for some time distract many of the Natives from the business of the mission, but I doubt not that the presence of the chiefs most interested might be secured.

On the subject of the scientific exploration of the country, it is almost needless for me to remark that the amount of information acquired must depend in a great measure on the time and means placed for that purpose at the disposal of the purchaser; but whatever may be the restrictions necessary in this respect, a constant attention to the subject on his part, and overland journeys, whenever practicable may, with little if any additional expense to the Government, enable him to ascertain with tolerable accuracy the geological structure and mineral wealth of the country, and any features in its zoology or botany in which it may differ from those portions of the Islands with which we have been longer acquainted.

I have, &c.,

Walter Mantell.

His Excellency the Governor-in-Chief,
Wellington.

No. 2.

The Hon. the Colonial Secretary to Mr. Mantell.

Sir,—

With reference to your communication of the 18th ultimo, offering certain suggestions relative to the contemplated purchase and partial exploration of the southern portion of the Middle Island, I am directed to inform you that His Excellency has had the subject under his consideration, and that as you executed the duties on which you were previously engaged, in purchasing so large a portion of the Middle Island, in a very satisfactory manner, His Excellency thinks you have established a fair claim to be intrusted with the charge of purchasing the remaining portion of that Island, for the due performance of which duty the experience and knowledge of such subjects which you have already acquired must specially qualify you.

I am therefore led to say, that you will be employed on the service alluded to in the first part of this letter about the middle of August next; and that if arrangements cannot be made for sending you to the southward in the Government brig, His Excellency will endeavour to charter for that purpose the whaling schooner which is at present attached to the "Acheron."

I have, &c.,

Alfred Domett,
Colonial Secretary.

Walter Mantell, Esq.

No. 3.

Mr. Mantell to the Hon. the Colonial Secretary.

Sir,—

An opportunity offering itself of forwarding a letter to Ugo, I do myself the honour of transmitting to you, for the information of His Excellency the Governor-in-Chief, a sketch of my proceedings since leaving that place.

I reached Taturau on the Mataura on 16th December ultimo, having been delayed some days on the road by the weather. An old Nave whom I took with me as a guide proved perfectly ignorant of the way; but the country, after passing the ranges which bound the Moyleux, was so open as not to prevent my maintaining a course due West by compass, which brought us to the Mataura, a few miles above Taturau. I left the Moyleux Valley by the Kauhia Stream, which I followed to its source. By this route, two days good walking would take a traveller from Mos Hill to Taturau.

Having set out a reserve at Taturau, I crossed to the "New River," where I set out two reserves for the Natives. I reached this place on the 27th ultimo, and have not yet succeeded in reducing the demands of the Natives for a reserve of extravagant dimensions sufficiently to justify me in assenting to them.

The country bordering the Mataura, and westward on my route hither, appears excellent, and plentifully wooded, but the climate seems to be wet, stormy, and very changeable.

I have, &c.,

The Hon. the Colonial Secretary, Wellington.

Walter Mantell.
No. 4.

Mr. Mansell to the Hon. the Colonial Secretary.

Stnz,— Dunedin, 18th February, 1852.

I have the honor to report to you, for the information of the Governor-in-Chief, my return this day from the overland journey through the southern districts of this Island, undertaken in accordance with His Excellency's instructions, conveyed to me in your letter of the 18th April. The journal and reports required by that letter shall be forwarded with as little delay as possible.


In returning I pressed, regardless of the weather, in order that no time might be lost in sending a surveyor to survey these reserves (Nos. 1 to 7), as I am anxious to have the maps ready for delivery to the chief by the 24th May proximo, the day fixed for a final general meeting at Otogo, to settle all disputes prior to the distribution of the final instalment.

And that, in Mr. Kettle's absence, there is but one surveyor here, and that he is engaged by Captains Gargil, and therefore unavailable; and that even if he were not so engaged, his want of experience among the Natives would in my opinion disqualify him for this particular duty. I would therefore request that an arrangement be made with Mr. Kettle, who is, I believe, now in Wellington, by which I may have the benefit of his immediate services in this matter. I may observe that, although authorized to appoint a surveyor, I am not informed what remuneration I am empowered to offer him.

After the meeting in May, I have engaged to proceed to the South (Bloomfield Harbour, or the New River) to distribute the first instalment. This will amount to £1,000, with which sum I would request you to direct to be remitted to the Sub-Treasurer of this district for that purpose by the beginning of June.

I have further to request that I may be provided with the means of proceeding by sea to either of the above ports to distribute the sum, and of conveying with me those chiefs resident here whose presence there may be necessary.

I have, &c.,

WALTER MANSSELL.

The Hon. the Colonial Secretary.

No. 5.

Mr. Mansell to the Hon. the Colonial Secretary.

Stnz.— Otago, 24th February, 1852.

Finding that considerable excitement among the Natives of this and the neighbouring settlements has been caused by a letter lately received by them from Pigeon Bay, informing them that the Government has concluded a purchase of the Maruhia District from Waiaporo and others, I do myself the honor of enclosing a copy of that letter; and, with the view of removing erroneous ideas which threaten to present serious obstacles to the speedy conclusion of my negotiations for the purchase of that district would request to be favoured with such a contradiction of this foolish report as His Excellency the Governor-in-Chief may deem sufficient.

I have, &c.,

WALTER MANSSELL.

The Hon. the Colonial Secretary, Wellington.

Endorse in No. 5.

[TRANSLATION.]

Pigeon Bay, 12th January, 1852.

Spend this my letter to all the Natives of Otakou and Raukura. This is my address to you. The payment for the district of Tuturua, and from thence to Nelson, including the whole line of coast, between the two places, has been given. The Governor did not consent to pay the money until the second time the matter was discussed; and then the Governor and Mr. McLean agreed to pay for the land where Te Puho (a chief of the Ngatiawa) was killed. The boundary commences at Tuturua, and finishes at Ahuriri. The Natives of the Ngatiawa, Ngatamaro, and Ngaihe, have all received the payment. Not only is the whole of the land on the West Coast included in this sale, but it also includes the land on this or the East Coast, including Pauanui and Kairuru. We who are living here are lying upon land the substance of which has been clandestinely bought by (or sold to) the Governor. Nothing has yet equaled the desire of the Europeans for land, no matter whether it is bought honestly or not. The blame, however, does not rest with Te Waiaporo (chief Parataniwa), neither with Rawiri Pusha; it rests with the Natives, who authorized the payment for the district of Tuturua (probably near Raukura) to be by them received; they were the more earnest in seeking the payment in consequence of a letter addressed to them by Taioana to that effect. O the blindness of you people, to allow other Natives to receive the payment for the land which you occupy! We had thought that Kaiporangi alone was to be sacrificed in this way; but it seems that all the lands in this Island are to share the like fate.

This finishes my address to you; but not mine only,—it is from us all.

NS IREX.

70
No. 6.
The Hon. the Colonial Secretary to Mr. Mantell.

Sr.—
Colonial Secretary's Office, Wellington, 26th March, 1852.

Your letter of the 24th ultimo, with its enclosures, on the subject of a rumored purchase having been made by the Government of the Marikihn District from Whapano and others, having been referred to Messrs. McLean and Kemp, I have the honor, by direction of His Excellency the Governor-in-Chief, to transmit to you copies of the replies of those officers, from which you will be enabled to contradict the report which you state to be in circulation.

I have, &c.,

Alfred Domett,
Colonial Secretary.

Walter Mantell, Esq.,
Commissioner for Extinguishing Native Claims,
Southern District, Middle Island.

Enclosure in No 6.

Memorandum by Mr. McLean.

To: Whapano (alias Parmata) states that Talaron agreed that he should sell the Arakura District, and receive the first payment for it; and that the subsequent payments should be made to Talaron and the other original claimants of the Ngatihau Tribe. To Whapano offered the land for sale to His Excellency Sir George Grey, and had frequent communications with me on the subject. Sir George stated to him that the case would be hereafter inquired into, and I gave him to understand that the sale should be contingent on the consent of the Ngatiha Tribe. Nothing further has been done in the negotiations for that district, excepting that I have written to ascertain Talaron's sentiments on the subject, a reply to which letter has not yet been received.

To clear up the difficulties about purchasing land on the North Coast of the Middle Island, it would be desirable to have a general meeting of the original Ngatiha claimants, as well as of the Ngatitoe, Ngatihua, Ngatiwaka, and other tribes who claim that country by right of conquest.

Donald McLean.

No. 7.

Mr. Mantell to the Hon. the Colonial Secretary.

Sr.—In accordance with the instructions conveyed to me in your letter of October last, No. 25, I do myself the honor of enclosing for the information of His Excellency the Governor-in-Chief, the following documents relative to my late journey in the southern portion of this district:—

A brief journal of my proceedings and observations from my departure on the 3rd December, 1931, to my return on the 19th February, 1853. To this I have appended two tables, one showing the weather experienced during the journey, and the other the estimated distances between the various places visited.

I enclose also returns of the Native, Half-caste, and European population, based partly on personal observation and partly on the most trustworthy evidence which I could procure.

I have much pleasure in forwarding a copy of a journal kept by Mr. Charles Nairn* during his trip to Te Onau, the first inland lake in this district which has been explored by Europeans; and I trust I may be allowed to record here my thanks to Mr. Nairn for this addition to our knowledge of the interior.

Lastly, I forward a general report on the country visited.

I have, &c.,

Walter Mantell,
Commissioner for Extinguishing Native Claims.

The Hon. the Colonial Secretary.

* These enclosures have not been printed.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Over 14 Under 14</td>
<td>Over 14 Under 14</td>
<td>Over 14 Under 14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>M. P. M. F.</td>
<td>M. F. M. P.</td>
<td>M. F. M. F.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>T瀑布, Otago</td>
<td>10 17 2 3</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To Kestel, Otago</td>
<td>22 19 7 1</td>
<td>2 3 2 1</td>
<td>2 3 2 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portobello, Otago</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gore, Otago</td>
<td>8 6 1 2</td>
<td>2 1 1 1</td>
<td>2 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Milangpau, Tukari</td>
<td>5 6 1 2</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motukapuiki</td>
<td>8 2 1 1</td>
<td>8 2 1 1</td>
<td>8 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otago Block (total)</td>
<td>49 44 19 14</td>
<td>2 9 6 137</td>
<td>30 38 134</td>
<td>24 45 9 14</td>
<td>0 10</td>
<td>8 26</td>
<td>21 5 8 2 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuturua</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td>1 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onetahi</td>
<td>5 5 1 1</td>
<td>5 4 1 1</td>
<td>5 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oeo</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aranui</td>
<td>19 17 0 5</td>
<td>0 1 1 1</td>
<td>0 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Okito</td>
<td>11 12 2 2</td>
<td>2 2 1 1</td>
<td>2 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Korokoupaupua</td>
<td>14 11 7 5</td>
<td>5 5 1 1</td>
<td>5 5 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waita</td>
<td>3 3 1 1</td>
<td>3 3 1 1</td>
<td>3 3 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murupuku (total)</td>
<td>53 46 17 17</td>
<td>3 2 1 1</td>
<td>3 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waitakariri</td>
<td>11 11 6 7</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taiatarere</td>
<td>6 2 2 2</td>
<td>2 2 2 2</td>
<td>2 2 2 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Houhora</td>
<td>5 11 6 4</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Awanui</td>
<td>4 1 1 1</td>
<td>4 1 1 1</td>
<td>4 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tai</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taorahi</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Te Ririhia</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td>1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rurupe (total)</td>
<td>27 96 14 18</td>
<td>1 4 1 1</td>
<td>1 4 1 1</td>
<td>1 4 1 1</td>
<td>1 3 2 6</td>
<td>0 66</td>
<td>2 17 1 4 1 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whakapu</td>
<td>7 4 1 1</td>
<td>7 4 1 1</td>
<td>7 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onepu</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waihau</td>
<td>2 2 1 1</td>
<td>2 2 1 1</td>
<td>2 2 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whangaroa</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td>8 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Te Whakapu</td>
<td>7 4 1 1</td>
<td>7 4 1 1</td>
<td>7 4 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Coast (total)</td>
<td>35 49 19 15</td>
<td>1 4 1 1</td>
<td>1 4 1 1</td>
<td>1 4 1 1</td>
<td>1 3 2 6</td>
<td>0 66</td>
<td>2 17 1 4 1 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otago Block, Murupuku, and West Coast, 1863</td>
<td>1877 165 : 19 : 71</td>
<td>1 0 15 11 506 76 98 216 253 93 127 54 54 12 2 8 9 17</td>
<td>17 130 86 12 87 0 14 3 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otago to Waitaki, 1863</td>
<td>428 54 60 89</td>
<td>266</td>
<td>266</td>
<td>266</td>
<td>266</td>
<td>266</td>
<td>266</td>
<td>266</td>
<td>266</td>
</tr>
<tr>
<td>General Totals</td>
<td>1000 349 140 113</td>
<td>1 0 15 11 802 70 98 216 253 93 127 58 54 12 2 8 9 17</td>
<td>17 180 86 12 87 0 14 3 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Enclosure 2 in No. 7.

### List of Europeans, Natives, and Half-Castes residing at Oua and Aparima, 1852.

<table>
<thead>
<tr>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Nativity of</th>
<th>Present Abode</th>
<th>Occupation or Relation</th>
<th>Yearly Return</th>
<th>Acres in Crop</th>
<th>Stock</th>
<th>Buildings</th>
<th>Trouble and Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Oua</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henry James McCay</td>
<td>m</td>
<td>44</td>
<td>V.D.L.</td>
<td>m</td>
<td>Ch. of Eng.</td>
<td>Sailor</td>
<td>10</td>
<td>Wheat, 1/2</td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Anna, his wife</td>
<td>f</td>
<td>22</td>
<td>Half-caste</td>
<td></td>
<td>Ch. of Eng.</td>
<td>Wife</td>
<td></td>
<td>Potato, 1/2</td>
<td>65</td>
<td>1 2 1 2</td>
</tr>
<tr>
<td>Jacob Newton</td>
<td>m</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>Brother-in-law.</td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Isaac Newton</td>
<td>m</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>Wife</td>
<td></td>
<td>Potato, 1/2</td>
<td>65</td>
<td>1 2 1 2</td>
</tr>
<tr>
<td>Cecilia Norton</td>
<td>f</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Owen McShane</td>
<td>m</td>
<td>37</td>
<td>Ireland</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>George Points</td>
<td>m</td>
<td>26</td>
<td>N.S.W.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Henry Whitlock</td>
<td>m</td>
<td>8</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Megs</td>
<td>m</td>
<td>6</td>
<td>N.Z.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
</tbody>
</table>

### Aparima

<table>
<thead>
<tr>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Nativity of</th>
<th>Present Abode</th>
<th>Occupation or Relation</th>
<th>Yearly Return</th>
<th>Acres in Crop</th>
<th>Stock</th>
<th>Buildings</th>
<th>Trouble and Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Paulin</td>
<td>m</td>
<td>38</td>
<td>London</td>
<td>m</td>
<td>Ch. of Eng.</td>
<td>Sailor</td>
<td>10</td>
<td>Wheat, 3</td>
<td>200</td>
<td>9 20 2 6</td>
</tr>
<tr>
<td>Anna, his wife</td>
<td>f</td>
<td>22</td>
<td></td>
<td></td>
<td>Ch. of Eng.</td>
<td>Wife</td>
<td>10</td>
<td>Potato, 3</td>
<td>200</td>
<td>9 20 2 6</td>
</tr>
<tr>
<td>Mary Ann</td>
<td>f</td>
<td>10</td>
<td>N.Z.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Ann Maria</td>
<td>m</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Louis Jane</td>
<td>m</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Clara Rose</td>
<td>f</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Thomas</td>
<td>m</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Elizabeth</td>
<td>f</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>William</td>
<td>m</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>George Howall</td>
<td>m</td>
<td>60</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Sarah Ann Howall</td>
<td>f</td>
<td>60</td>
<td></td>
<td></td>
<td></td>
<td>Wife's niece.</td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Margaret Bales</td>
<td>f</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td>Wife's niece.</td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>Amelia Johnstone</td>
<td>f</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td>Wife's niece.</td>
<td></td>
<td></td>
<td>65</td>
<td>2 40 1 2</td>
</tr>
<tr>
<td>James Learoy</td>
<td>m</td>
<td>33</td>
<td>London</td>
<td>m</td>
<td>Ch. of Eng.</td>
<td>Sailor</td>
<td>13</td>
<td>Potato, 1/2</td>
<td>18</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Henri Weil Koe</td>
<td>m</td>
<td>62</td>
<td>N.Z.</td>
<td></td>
<td>Ch. of Eng.</td>
<td>Wife</td>
<td></td>
<td>Potato, 1/2</td>
<td>18</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Ikia</td>
<td>f</td>
<td>6</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td>Wife</td>
<td></td>
<td>Potato, 1/2</td>
<td>18</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Betley</td>
<td>m</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>James</td>
<td>f</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Nathaniel Bales</td>
<td>m</td>
<td>30</td>
<td>N.S.W.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Harriet Watson (wife)</td>
<td>f</td>
<td>10</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Lydia Bates</td>
<td>f</td>
<td>2</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>John Bates</td>
<td>m</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Mary Bales</td>
<td>f</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>William Bales</td>
<td>m</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>James Bates</td>
<td>m</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>George Pina</td>
<td>m</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>Anne (wife)</td>
<td>f</td>
<td>34</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
<tr>
<td>George</td>
<td>m</td>
<td>15</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td>1 1 1 2</td>
</tr>
</tbody>
</table>

**Domestic**

<table>
<thead>
<tr>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Nativity of</th>
<th>Present Abode</th>
<th>Occupation or Relation</th>
<th>Yearly Return</th>
<th>Acres in Crop</th>
<th>Stock</th>
<th>Buildings</th>
<th>Trouble and Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephen Watson</td>
<td>m</td>
<td>40</td>
<td>England</td>
<td>m</td>
<td></td>
<td></td>
<td></td>
<td>Potato, 1/2</td>
<td>20</td>
<td>63 1 2</td>
</tr>
<tr>
<td>Bridget Watson</td>
<td>f</td>
<td>30</td>
<td>Ireland</td>
<td>f</td>
<td></td>
<td></td>
<td></td>
<td>Potato, 1/2</td>
<td>20</td>
<td>63 1 2</td>
</tr>
<tr>
<td>George Pakley</td>
<td>m</td>
<td>14</td>
<td>Half-caste</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Potato, 1/2</td>
<td>20</td>
<td>63 1 2</td>
</tr>
</tbody>
</table>

Drowned, 6th January, 1852. House, &c., included in Native Reserve for the widow and children.

---

*Footnotes are not listed in the provided data.*
Enclosure 3 in No. 7.

Table showing the Total Number of Half-Castes.

<table>
<thead>
<tr>
<th>Place</th>
<th>Europeans</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M.</td>
<td>F.</td>
<td>M.</td>
<td>F.</td>
<td>M.</td>
<td>F.</td>
<td>M.</td>
<td>F.</td>
<td>Totals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Takapa, Otago</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bannister</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bukitara</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onewaia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matapapa, Taieri</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Molyneux</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otago Block</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taunan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onewaia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aparina</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otaka</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kawakapataupu</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waiau</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mavihi</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warikoari</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tukutuakau</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bapoukou</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Awaiaha</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Titi</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taeroheua</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Te Kirihia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reafone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>2</td>
<td>2</td>
<td>8</td>
<td>8</td>
<td>1</td>
<td>6</td>
<td>15</td>
<td>11</td>
<td>53</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Enclosure 4 in No. 7.

Before the Mavihi Block by Mr. Mantell, 81st March, 1862.

I commence my description of the country at the south-west boundary of the Otago Purchase, the country within that boundary having already been described by those who have had better opportunities of examining it than were enjoyed by me. For convenience in description, I shall divide the country into four districts—

1. From Molyneux to Matara.
2. From Matara to Aparina.
3. From Aparina to Waiteau.
4. From Waiteau to the N.W. Angle.

I.—Molyneux to Matara.

The first district is generally hilly; the hills in the interior portion of it low and regular ranges, presenting in their terminal aspect the appearance of cones of very similar forms. In many instances sandstone crops out on the ridges in a bare line of rocks. The general direction of the ranges and valleys is from East to West.

The valleys vary from a quarter of a mile to a mile in width, the hills sweeping gently down on either side. Swamps of the usual kind are not prevalent, but mozes are found in most of the valleys. These promise to be of great value, in a district so deficient in timber. From a distance they look like small swamps, or, if fire has killed the abuts, like recently-burned patches, black in the midst of the surrounding pasture. The first which we observed were in the upper valley of the Waiteau (seen from Hawkesnest Range); in this case we mistook them for recent burnings, but discovered their real nature the next day, when we examined a similar one on the south of Koakastas. Their vegetation—mosses, Bohns, sundews, grasses, shrubs—is peculiar to themselves, and differs entirely from that of the surrounding plain. Those whose growth has been stunted by fire present a curious appearance, being covered with the bleached branches of the Nga, or grass tree, which forms so constant a part of their vegetation that they are called "Pi" by the Natives. Some parts are sound and good walking, others the reverse, especially where the white sphagnum moss is found in knee-deep tufts. Their depth we could not ascertain; we found no bottom with our test-poles (eight feet), but as (from those which we observed in an incipient state) they appear to begin on ground below the usual level, and when fully developed form mounds considerably above it, I estimated that some of them must be from twenty to thirty feet thick. In extent they vary from the meagre tuft of moss to forty or fifty
The surface they consist of a light, homogeneous, rich brown earth, composed entirely of decayed vegetable matter. I cannot but hope that they will be found rich treasuries, not only of fuel, but also of the remains of extinct birds.

From Molyentu to Tuturau wood is very scarce; a few woods are scattered along the northern foot of the Molyentu Range, and a few clumps here and there in the gorges on their southern slope. With the exception of these, Utonua Wood on the Kahwewa, seems the only one. Moera, Nairn, and Piwomya, who wandered about here for nine days north and south of the road to Tuturau, saw no other wood excepting the coast forests, which are said to extend from Teatea Point to Totei Bay, at the mouth of the Matavau.

On the western slopes of the Tuturau Range wood abounds, commencing at Tuturau, and increasing towards the sea. Here woods of various size, from detached groves to continuous forests, are scattered over the undulating ground; in that at Tuturau there is much fine kanuka, matai, and kahia.

The grass in this district is excellent. The rivers are small, most of them, including, perhaps, the Kahwewa, flowing into the Molyentu, their courses alternatingly following valleys and cutting through ranges till they reach the great valley. I do not speak of the coast rivers, as I have not seen them. Along the seaboard are several bush harbours and one ship harbour, Waitakia, which the Natives inform me has been surveyed by H.M.S. "Acheta."

2. Matavau to Aparima.

Beginning at Hokiiau, thirty miles from the sea; table-land, with undulating surface, narrows gradually to the Leaning Table, distant (according to Mr. Macartney's survey) about twenty-three miles inland of this line, and beyond this Orote Ete-iha, but not more than sixteen from the sea at Waitia. From the Leaning Table the high land trends north-west, till it is lost in the distance. Hokiiau, the eastern end of these ranges, is a fine mountain (about 2,000 feet), partly wooded and partly grassed. Passing west by Waitakia (Ship Cove of Hamilton) and Taipupuru, the grasses on the mountains gradually cease, and they appear to be densely and uniformly wooded. The table land on its seacoast is said to be one continuous forest; but in the line between Tuturau and Orote-iha the wood is broken into groves and forest with grass land of various quality between. I am inclined to attribute this varying quality of the grass not so much to a definite soil in those places where the present growth is inferior, as to the herbage there having grown for years unshched by fire, exhausting the soil, and rendering a longer period necessary for it to recover its fertility after the fires which have lately destroyed the grass, and with it probably the seed which should have replaced the burnt stub. (The burnt tufts which remain show that the growth has been very heavy, and the intense heat from it when burning has to a certain extent calcined the surface of it.)

Beyond this it is said to be a desert, which, if so, it is inferred that a grass plain, destitute of timber, stretches from Hokiiau to Aparima. A Native track once traversed this, by which Tuturau could be reached in one day from Aparima; the path turned inland at Waiti; the distance would be about forty miles.

The woods contain fine timber of all kinds, including a few trees of rats, which here first begins to reappear. This rate does not seem identical with that to the north; the leaf is longer and narrower, and the tree when large generally prostrate. The totara, which resembles a kind found in the Waikato, and which Mr. Swanston was inclined to rank as a different species, is abundant, but destroyed in considerable quantities every year by the Natives, who strip the bark, not only for their houses, but also for an outer covering to the kelp bags, in which they preserve the kete or mutton-bird. In travelling also, they always endeavour to procure it for a shelter. When we joined Kibau and his party at Taumatai, I found they had for this purpose destroyed about twelve large totara trees. Wharauki were formerly numerous here; we saw their tracks, but none very recent; a few head were seen near the Waiti and Southcot, a bull once found his way here from the Molyentu, and was shot during a cattle hunt.

On the path between Tuturau and Orote there is but one clear stream, the Waihopai, one source of which is within four miles of the Matavau, at Oteru, and another one, as far as one can see, at Southcot; a ball once found his way here from the Molyentu, and was shot during a cattle hunt.

The coast country between One and Aparima consists of sandhills, with lagoons or swamps dividing them from the arable land. The eastern point of the Bluff and part of the reserve at One and Aparima are all sandhills, partly wooded, timber growing and, except where shot at by the westerly gales, flourishing in these places, a sufficient proof of the absence of drought.

The track at Waitiatau above mentioned is the only one known between One and Aparima, by which the inland country can be reached from the beach; the latter is of fine firm sand, almost equal to the Kapiti beach.

The pasture which I saw at Aparima is not generally equal to that of the northern country: in some parts fine grass is in quantity. The inland, however, from Mr. Nairn's journal, appears to have at least one district of fine-rate pasture. He compares it to the Kahwewa country, and the cattleless formation being identical, I have no doubt that it deserves the praise he bestows on it, and will be found one of the finest tracts of natural pasture in the Island.

3. Aparima to Waitiatau.

In the third district, from Aparima to Waitiatau, grass is the exception, occurring only in isolated patches of a few square miles. Along the western bank of the Poroporocone there are many such patches, but those which I saw were either very wet or ferny.

Okaka Bay ("Celaks Bay") of whalers commemorates a few miles from the entrance of Aparima, has a sandy beach of about four miles, and perhaps 200 acres of open land. Kainui Point, which divides it from Teahuputa ("Woochuputa" of whalers), has some excellent soil upon it, but the land between it and Urewera (Lake George), about one mile in width, is stony and worthless, but with good timber.
Immediately behind Lake George lies the range of gentle wooded downs, which, commencing at Aparima, extends to the east bank of Waianui, at an average distance of six miles from the sea, and then follows the Waianui course inland to Mount Haukotu, Takorowakaka. These hills, though perhaps upwards of 700 feet high, lose much of the appearance of height from their gently rounded contours. Behind them, according to Te Ao (a Native resident at Waianui), is the grass country travelled over by Moser, Nairn and Stephens on their journey to Te Awai.

The sandy beach at Kawakapupakapu Bay is about three miles in length; the open land about 500 acres, of fair pasture.

Throughout the reserve and its neighbourhood the soil is excellent.

The open land begins at Awarua, and winds between Harini Wood and the inland forest to Okuri Bay; it is bordered on the west with seaweed and on the east with grass that is proper to wet soil. There is fine land round it, and the simplest cultivation would serve the soil of the open ground, as it lies high and slopes considerably towards the Okuri, a narrow stream which runs through it.

The next tract of clear country is at Aroraki, in Waiaera Bay. There is here much fern, but the soil is good. In extent it is about six square miles. There is said to be an absence (burning place) on this parish, consisting, like those of the Pounakaha, whence is derived the fossil resin which flows down the Moymoom, of burning lignt. A hundred acres or so on each side of the Waiaera complete the list of the open land on the coast. As Waianui commences the grand southern forest, which extends from Fevanui Strait to Cook Strait.

Waikou is a stream about twelve miles from Waianui, at the west end of the beach of Waiaera Bay. The cliffs, of similar height (about fifty feet) to those from Aroraki to Waianui, extend that distance, and the land, though wooded, appears to be suitable for agriculture.

The Waiaera River flows through a wooded valley about six miles wide, the bounding slopes of which are wooded, and the land beyond the valley is a good deal wooded. The distance of about twenty miles north, Takihau stands across the valley, the river flowing round its western spur (see Mr. Nairn's journal).

This position is, by the Natives' tradition, a canoe in which their ancestors came from Hawai'i. To the right of its eastern spur a pale grass-topped hill is visible; this is Takorowakaka, Mount Hamilton, the farthest point reached by Mr. Hamilton on his journey inland. The river is about 200 yards wide, and very rapid; its upper course is said to be embarrassed with rocks and rapids, as its lower is with snags. Formerly it was frequently ascended by the Natives on moleke, but the voyage was considered dangerous, and it was rare for the small craft to make their boat-night cross at the mouth; in this respect it has the advantage of its twin river the Waiataki. Like the latter it rises in a group of lakes in the interior. The present method of crossing in moleke is very unsafe—about three times dangerous as the passage of the Waiaera at Te Pungamarau.

6.—Waikou to N.W. Angle.

Not having yet visited the mountain country west of Waianui, I have only to record a few detached facts concerning it obtained from the Natives. As the "Acham" is said to have surveyed its harbours, we shall, it is hoped, soon be in possession of authentic information concerning them. In one of them (Charles Harbour) a hot spring has lately been discovered.

Another, Ruythe Bay, is the sea-side heath of the once populous Hauwo tribes; one of their marts, of kakapo (Strapeta) skins was found there not long since. As these bush Natives are dredged by the coast tribes, who either run away from or kill them whenever, as rarely happen, they meet, I have been unable to glean any intelligence as to their present number, but it is doubtless much reduced from its strength at the time of their attack on Oueuta, then a strong and populous pa, or they would have long since avenged the injuries inflicted on them by the last generation.

Beyond Hakaaparoroi Point (so noted on the diagram accompanying my account) is the mouth of the Waiaera River, which here breaks through the large masses of Maukora. This lake is only two days' journey from Waianui, the path following the beach to Waikou, and then running between Haukoru and the north end of Okera range to the lake. Haukoru, shown in the diagram above referred to, is the Maori barometer, a cap of mist on it being a sure sign of an approaching storm from the west or south-west.

I regret that I am unable to present to accompany these papers with an explanatory map, with which assistance I fear I shall be unable to render intelligible the following sketch of the geology of the country. Until the return of the Government Surveyor I cannot attempt the compilation of one, as the bearings which I took only served to show me the untrustworthiness of the present maps of the country, without furnishing sufficient material for a more correct one.

The geological features of the country which came under my observation are very simple. A large development of carboniferous strata extends from Moynex to Mataura, dipping to the southward at an angle commencing at 45° and gradually lessening as it approaches the latter river, when the lenticular character of the strata is again manifest. The table-land beginning at Otuamaka consists of the same rocks, and the gravels and clays of the Aparima table-land, which contains a turbary deposit, may possibly prove to be an upper member of the same series. The formation reappears in Waiaera Bay at Aroraki, whence it reaches to Waianui, and apparently to the end of the table-land at the western end of the bay. Lignite of a superior quality is known to exist at Preservation Harbour, at the south-west angle of the Island. (See Dr. Robertson's R.N., Report on New Zealand Lignite, in Government Gazette, 2nd February, 1851.)

The highest mountain momentous movements, would appear then to extend with little interruption from Sedg Hill, in Otage, across the Island.

The series from Moynex to Mataura comprises grits, sandstones, the strata mentioned in journal as indurated shale, and, at the Mataura and the Pounakaha seams, and beds of lignite. I regret that the specimens of fossils from the shale which I collected on my return are lost. Those collected on the journey down will not arrive till the end of May; I cannot, therefore, describe them with accuracy. There remains uncultivated land for hogs of which a distinct extent. In some examples more casts remained, in others the shell was replaced by peperites. The rock is dark-brown and homogeneous, divided by cleavage into rhomboidal masses which break easily with an earthy conchoidal fracture, leaving a
compact rounded nodules. In the sandstone were fragments of fossil wood and imperfect remains of smaller plants. In the Mataura lignite, wood was easily discoverable. The same specimen would sometimes show it at one end almost recent in appearance, in the middle carbonised, and at the other end calcified. Leaves resembling those of the broad-leaf (kaupapa), beautifully preserved, occurred in the thin seams of lignite at Haumui Fell, and in the pale blue micaceous clay, which overlies the main seam on the west bank. In this the upper shale were remnants of eust, nodulina, turritella, and many other genera, complete, but in a very friable state; some species, a large turritella seven inches long, forms I have not met with among the recent shells of New Zealand.

At Invercargill, and again at Taturau, I remarked eroded blocks of granular quartz rock lying on the surface. I did not observe any fossils in the more recent beds, as the Yellow Bluff. Apart from the turbary deposit there contains flux and wood, little altered. I found on the river bank, a few bones of the dinornis, which had apparently come from that deposit, but I did not detect any in situ.

The lignite of Waioa River is evidently more ancient than that at Arapuna, but not coeval with the Mataura bed. It rests on a soft, pale-yellow sandstone, without fossils, and is overlaid by the drift. To the south-west it runs out and disappears; a slight northwesterly dip also brings it below the beach before reaching Waian, but I believe it reappears near Waikoua associated with shale or clay, described by the Natives as full of shells.

Ignisous rocks not extensively developed east of Waian. They are represented by the greenstone of the Bluff and Omaui, showing again at the rock at Okura (see Journal), at Mataura Crags, in the Kawakaputaputa Reserve, again in the hinterland of Arakura, at Arapaki. These beds dip to the east-north-east protecting them as the points of Kawakaputapua and Okura, and probably other prominent headlands in the same line; lower beds of lepantite and yellow granite, with black mica, crop out. An argillaceous occurs in situ at Pohorokopou, and some various porphyrites are brought down by the Waian.

We found a few masses of serpentine lava in the bed of the Mataura, and of a brick-red schistose rock, apparently shale, altered by contact with ignisous rocks.

As I shall have hereafter to return to the subject, I defer for the present any remark on the lignites of Omatamua and the tertiary fossiliferous sandstone of Puketumoni, described and collected by Mr. Nairn, closing here this sketch until I shall be enabled to transmit a map in illustration of the observations I have recorded.

WALTER MANTLE.

---

No. 8.

M. MANTLE to the Hon. the Colonial Secretary.

Sir,—

I have the honor to acknowledge your letter of the 26th March ultimo, No. 52, 381, enclosing a report by Mr. McLean on the Native letter of which I had the honor to forward a copy in my communication of the 25th February ultimo.

I observe that Mr. McLean states "I have written to ascertain Taiao's sentiments on the subject" (the sale of the Ahurita Block by Wakaipiro), "a reply to which letter has not yet been received." A reference to the deed of sale of the Ngatokahu Block, the north boundary of which commences at the Old Pa, Kaiparo, and runs N.W. magnetic across the Island to the neighbourhood of Cape Faulkland, will show that the Ngatokahu title to the Ahurita Block has been extinct for some years. Even prior to its extinction, Taiao would not have been the party to treat with for that part of the country. I have, &c.,

WALTER MANTLE.

---

No. 9.

M. MANTLE to Mr. DOMEST.

Sir,—

I have the honor to enclose a copy of the deed of cession of the Muribika Block, executed this day between the Native claimants and myself.

I have also the honor to transmit a copy of the map annexed to the deed, and of those of the Native Reserves in the newly acquired territory.

You will observe that by the deed I have engaged to pay one installment of £1,000 at Otago, immediately on the assembly thereof of a few sub-claimants whom Topi and Matatui will bring up at once, probably before the end of next month; and the second, also of £1,000, at the Bluff, as soon as the money shall arrive.

On the subject of these funds, I have the honor to address you a letter supplementary to this.

As such arrangements were perhaps not foreseen in my instructions, I do myself the honor, in a separate communication, of reporting to you, for the information of His Excellency the Governor, the circumstances under which I have felt it incumbent upon me to depart from the letter in order to carry out the spirit of those instructions.

I have, &c.,

The Civil Secretary, Wellington.

WALTER MANTLE, Commissioner for the Extinguishment of Native Claims.
No. 10.

Mr. Mantle to Mr. Domest.  
Otago, 31st August, 1853.

I have the honor to request you to submit to His Excellency the Governor the following statement of the circumstances under which I felt it my duty to conclude the negotiations for the purchase of the Maoris in the Matanaka District.

I would be permitted to recur to the commencement of my engagement in this particular duty.

In April, 1851, I had the honor, by desire of the Governor-in-Chief, to address to you a preliminary report on the proposed purchase, in reply to which I was informed (4th April, 1851—483) that the duty would be intrusted to me, and that I should leave Wellington in the middle of August.

I received my instructions (17th October, 1851—1854) on the 20th October, and having arrived here in the beginning of November, I, in accordance with those instructions, proceeded overland to the remotest Native settlement in the district, investigating the respective claims of the resident Natives, and fixing the boundaries of their reserves, which were immediately afterwards surveyed by the Government Surveyor. I then had the honor (31st March, 1852) of transmitting to you the various reports received by my instructions.

Having appointed the 24th May for the final deposit to be held at Otago, and announced that the distribution of the first instalment (£1,000) would take place at the Buff (Amorua) in June, I had the honor, in my letter of the 21st March, 1852, to request authority for the Resident Magistrate to proceed thither with me at that time, which authority was granted in your letter of 5th May, 1852—483 (received 17th May).

Since that date I have been honored with no further communication on the subject, but on the necessary funds did not arrive I permitted the assembled Natives to return, promising to come down immediately on my receipt of the money. On removing their homes they collected a select party at the Buff to celebrate the expected event, but at last dispersed.

For the last twelve months I have endeavoured to the utmost of my power to keep their disposition to discord unaltered; but the difficulty so increased during the latter part of that period, that I could plainly perceive that except under circumstances more propitious than I dared to anticipate, the negotiations, whenever His Excellency should be pleased to direct their renewal, would, however skillfully conducted, terminate in an arrangement far less advantageous than that practicable in 1852, if they terminated in any arrangement at all.

I had even ventured to suggest to you that such renewal might be undertaken with more likelihood of success by some other officer, who might seek on me the reproach of having failed to keep the first engagement. And I may here mention incidentally, that on my leaving the time for the distribution, the Natives expressed a fear that they would be again deceived, as they formerly were by me at Amorua and elsewhere; but I assured them that this time—for reasons which as they proved fallacious it is useless to repeat—their fears were groundless. Thus, "ke taku a Maorua" (Mantell's distributions) are passing into a "ke taku a Maorua" (the Government's distributions) for engagements not likely to be kept; and I have been content that they should do so, rather than that the district should fall upon the Government.

But in the last two months facts have come to my knowledge which have induced me to bestow the most careful attention on the present disposition of the Natives on the subject of the sale.

The Resident Europeans (from thirty to forty families), tired of waiting for the provision they have been led to expect from Government, have lately been using their utmost endeavours to dissuade the Natives from completing the cession to Her Majesty; they have dwelt on the rental for runs which they have offered to the Maoris, on the price at which land is sold by the Government in contrast to that at which it is bought, offering to purchase at the former rate from the Maoris; on the hardship of Customs' duties; and of the prohibition of powder and spirits, both of which (as the latter) they assured the Maoris were supplied to the Maoris. But the chief obstacle thus arising were the squatter, and the excessive increase (£7,000 to £9,000) in the Natives' demand for the extinction of their title.

On the arrival here with tiers of Toni, Paiti, and the rest of the Natives interested, I found them resolved, as they said, "if the Governor would not buy the land, to sell it to those who would, and certainly to let their children, for which some settlers were already in treaty with them."

I therefore carefully studied the Native Land Purchase Ordinance, and found that more than one possible mode existed of complying with the provisions of that Ordinance. I will mention one which was afterwards considered stated to me by an intended squatter as quite safe from the penalties of that Ordinance, a proposition to which I of course would not assent: that the Natives should nominally be graziers, taking charge of the settlers' cattle, employing the stockowners and their servants as shepherds and stockmen.

Determined to try the Ordinance to the utmost rather than permit so important and necessary a portion of this Province to fall into such a state as the Waitakia, I most reviewed my means of enforcing it against the resistance of both Natives and Europeans. These would consist of such as could be spared almost constantly from a police force of six men, who would also have to do all other necessary duty in a Province as large as Van Diemen's Land. My view of the proper mode of enforcing the Ordinance in cases of recusancy, was to commence the informations at once, and repeat them at the smallest legal interval until the offender should give up in despair. But while the possibilities of coercion already alluded to shook my faith in the efficacy of this plan, the small ends for carrying it into effect were neglected.

I must here remark that the enormous delay of reference to you, though it would have relieved me from a serious responsibility, could not, in the state of the case, be contemplated. Squatting the evil to be warded off, had hardly commenced in more than one place; two cargoes of stock had been landed, and two more were daily expected, so that it was necessary to decide on a line of action, and to act at once.

I conceived myself to be in this dilemma, let: I might let matters take their course, enforcing the laws against squatting, with means so inadequate as only to irritate the offenders without suppressing the offence; reporting my proceedings to you, with a request that I might be honored with 72
instructions, which I could hardly hope to receive in a less period than three months; meaning the evil would have become confirmed and ineradicable, and those who obeyed the law would see the best country appropriated by those who set it at defiance; or 2nd., I might in exercise of the power intrenched into and still vesting in me, and as my own risk, exceeding it if necessary to meet demands increased by delay, avail myself of the opportunity present in or near Otago, personally or by known representatives, of all the principal Native claimants, to conclude the purchase on the best terms yet practicable, and as their repeated disappointments render them suspicious of my promise on such subjects, distribute the first instalment of a thousand pounds. I should thus acquire a large and essential addition to the lands open for colonization, and, in the simplest and least expensive manner, overcome the obstacles which under the former course would have offered as insuperable a barrier to the progress of the Colony. The chief difficulty would arise from the want of funds, and I trust that any candid explanation of the plan by which I purposed to provide these would be viewed by the Governor as some palliation of a departure from a precedent which may appear almost unpardonable in an officer of His Excellency’s Government. I propose to devote to the purpose a sum in my hands amounting to almost £500 received during the current quarter for Crown lands said, and, if I could do so without divulging the object of the loan, to borrow on mortgage of my private property a further sum of £900.

1. The former course was safe, but, with the certainty of great loss to the public by its adoption, not honorable; and I conceive that I should by its adoption have deserved to forfeit the appointment I have the honor to hold.

2. By taking the letter, I might not only forfeit my appointment but suffer heavy pecuniary loss; yet I should feel that I had done my duty according to my best conception.

I accordingly, after a week’s delay, during which all I learned only made me more anxious to conclude the negotiations, assembled the Natives, and ended a long and arduous debate with the signature of the deed of which a copy is enclosed in my letter of the 17th instant. By this you will see that while about to overstep the strict letter of your instructions, I have taken especial care to plant each step firmly. Thus, though the session is already a fact, the distribution of the first instalment will only become so on the return of Topi with the minor recipients. Whatever my own position, I have at least taken care to secure the public against loss.

Whatever may be the Governor’s decision upon my proposed appropriation of the Crown land funds (for to this date I have done nothing in excess of my instructions), I cannot too strongly urge you to beg His Excellency’s earliest consideration of my accompanying letter on the subject of funds for this purpose; and though I would not willingly obstruct private considerations upon you, I may mention that although I have succeeded in borrowing the sum necessary for my advance towards the purchase on my personal security, and without stating the purpose for which I require it, I shall feel bound on receipt of an unfavourable reply to that letter to execute mortgages for the amount,—an expense which would widely be spared, but as willingly if necessary.

I may, in conclusion, be allowed to mention two things: That the circumstances under which I have made this purchase are unknown to the settlers, who, according to instructions from the Governor, seem unanimous in their satisfaction at the acquisition.

And that, regarding the adoption of the right course as my own pecuniary duty, I have sought to divide my responsibility by any previous consultation with my brother officers, or indeed with any one; these gentlemen are therefore perfectly blameless and innocent of any complexity in my proceedings.

I have, &c.,

WALTER MENTELL,
Commissioner for the Extinction of Native Claims.

The Civil Secretary, Wellington.

No. 11.

Mr. Mentell to Mr. Dominy.

Sir,—

I had yesterday the honor to announce to you the conclusion of the negotiations for the purchase of the Murihia Block, and of reporting to you, in a separate communication of this date, the reasons which urged me to conclude these negotiations.

I have now the honor to request that, to meet the first instalment of the purchase money, authority be issued to the Sub-Treasurer of the Province to advance from the Land Fund the sum of £1,000.

As to the second instalment (£1,000), I would most earnestly beg that (as promised in my original instructions) that amount be remitted to me from Wellington by the earliest opportunity, as the Natives will expect the distribution of it at the Bluff before December.

The first instalment will be paid almost exclusively to the claimants of the eastern and western, and the second to those of the entire portion (Tititi to Dusky Bay) of the block.

This was the most favorable arrangement which remained possible after the long delay; and I could not but acknowledge the force of the Natives’ complaint, that small instalments gave to each a sum insufficient to purchase anything of permanent value which should in after years represent the land to them.

I do myself the honor to annex a short statement showing the Government will not lose by this arrangement as compared with that originally contemplated.

Failing in my endeavours to reduce the demands of the Natives below £2,500, and very unwilling to exceed the large amounts stated in my instructions as the maximum, and which would have sufficed had the business been concluded at the time originally fixed, I at last made the following arrangement, which was agreed to by the Natives:

That, whether the further sum of £600 were granted or not, the land was ceded for the amount named in the deed (£2,500).
That the payment or non-payment of the £200 was to be left to the Governor, but that I was most strongly to urge His Excellency, in consideration of the delay, of their long boat-voyages, ending in disappointment, &c., to award their sum to them, and, when awarded, to direct one-half of it to be distributed at Otago and the other at the Buff.

I should but imperfectly fulfill my promise did I embrace, for making this recommendation, a time when my own position may be such as to weaken its force. I would therefore respectfully beg that the Governor would suspend his decision until I shall have had the honor fully to represent the claim, which I shall do so soon as, by the expression of His Excellency's opinion of my proceedings, I may be relieved from the suspense attending the position in which it is, I trust, evident to you: that selfish motives, whether of profit or reputation, could never have placed me.

I have, &c.,

WALTER MANTIE, Commissioner for the Extinguishment of Native Claims.

The Civil Secretary, Wellington.

Enclosure No. 11.

STATEMENT referred to.

Date at which payment would have been made according to original plan. Interest earned by delay.

<table>
<thead>
<tr>
<th>Date</th>
<th>First installment</th>
<th>1st Dec.</th>
<th>1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st June, 1852</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paid October, 1853, 3 months, @ 10% cent.</td>
<td></td>
<td>133.6</td>
<td>9</td>
</tr>
<tr>
<td>1st June, 1853</td>
<td>Second installment</td>
<td></td>
<td>500</td>
</tr>
<tr>
<td>Paid November, 1853, 6 months, @ 10% cent.</td>
<td></td>
<td>29.16</td>
<td>8</td>
</tr>
<tr>
<td>1st June, 1854</td>
<td>Third installment</td>
<td></td>
<td>500</td>
</tr>
</tbody>
</table>

£22,000

Paid November, 1853...
Deduct discount, 7 months, @ 10% cent. 
Total interest...
Excess of interest over discount...

£154 3 4
£29 3 4
£125 9 0

No. 12.

Mr. Domett to Mr. Mantle.

Sir,—

I am directed by His Excellency the Governor to acknowledge the receipt of your letter of the 17th of August, but which did not reach Wellington till the 20th of September, transmitting copy of a deed of cession of the Murikahu Block, together with maps of reserves in the same; also the receipt of your letter of the 12th of August, reporting upon and explaining the circumstances attending the conclusion of the agreement for the sale of that district and the payment of the purchase money to the Natives.

With reference to the first eight paragraphs of the last letter, His Excellency desires me to remark that some misconception appears to exist on your part in relation to the suspected unwillingness, previous to a late date, of the Natives to sell the recently acquired block of land unless the transaction was immediately upon the preliminary negotiations which had taken place. About six years ago, His Excellency remarks, some of the principal chiefs of the district in question agreed, while the Governor was there, to dispose of it to the Government, upon certain terms, when it might be required. These terms were nearly the same as those to which they have since adhered; and on a recent visit (within the last twelve months, that is) of the same chiefs to Wellington, they appeared to His Excellency to hold to their engagements in all respects. These chiefs were Topi, Tumara, and other principal chiefs of the district. These things appeared to His Excellency no immediate necessity for hurrying the matter on, more especially as the Government found it very difficult to procure the funds absolutely required to pay for large tracts of land imperatively demanded by the circumstances of the European population in other places where they were very numerous and the districts of land available for such were very limited in extent.

The state of things, however, which, as appears from your letter, has recently arisen, and which rendered the immediate acquisition of the block of land as object of paramount necessity, and the serious delay which you represent as likely to have occurred in the completion of the purchase, had you deferred the matter for further instructions, clearly gave rise to a case in which you were called upon to act upon your own discretion to the best of your judgment, and in which it became your duty as a good public servant to incur such an amount of responsibility as was needed to enable you to close the transaction and set it finally at rest.

I am therefore to state that, keeping the above circumstances in view, His Excellency considers that in the course you have adopted you have rendered a very great service to the public, and one which entitles you to be special commendation, so far as it appears that you possessed not only the capacity to see what measures ought to be taken in such an emergency to promote the public interest, but the sufficient resolution to carry those measures into execution with a single regard to the public good.
His Excellency therefore approves of the payment to the Natives of the sum of £2,000 for the lands recently acquired, in accordance with your recommendation—£300 of the last amount to be paid at Otago, and £1,700 at Christchurch.

From a statement furnished to the Governor by the Audit Office, it appears that the Sub-Treasurer at Otago had received from the sale of public lands the sum of £886 10s. between the 1st of January and the 31st of July, 1853. This sum the Sub-Treasurer has been directed to pay over to you, as well as all other land funds in his hands; and you are also authorized and directed to retain in your possession any funds arising from the sale of Crown lands in the Province of Otago until the sum of £2,600 (and any expenses incurred in obtaining that amount), to be paid to the Natives for the newly acquired block, has been liquidated. Any funds derived from lease of pasture lands should also be applied to the same purpose, unless it would interfere with any previous instructions you have received to such a degree as to be detrimental to the public service. It is hoped that the funds thus placed at your disposal will enable you to liquidate the entire debt in question, as His Excellency anticipates that considerable sums will be obtained at an early period from the sale of portions of the new block. If, however, you find yourself in want of the £1,000 or any portion of it for which you apply in your letter, you are authorized either to draw on the Commissioner of Crown Lands at Wellington for that amount at thirty days' sight, or to write to him requesting him to remit to you the required amount to Otago. If you are compelled thus to borrow the whole or any part of the sum of the £1,000 from the Wellington Land Fund, you will be good enough to repay it out of the first proceeds of land sales which come into your possession.

In your letter you allude to the probable expenses you may have incurred in raising the first sum of £1,000 to complete this purchase. I am therefore disposed to state that any reasonable expenses which you have incurred in a manner so creditable to yourself, in completing a purchase so clearly desirable, will of course be refunded to you.

I have, &c.,
Walter Mantell, Esq., Commissioner of Crown Lands, Otago.

SIR,—
I have the honor to enclose the original Deed of Purchase of the Murutihik Block, with the receipts for the first two instalments of £1,000. Those for the remaining instalments (£200) will appear in a separate deed.

I have also the honor to transmit the original conveyance to the Crown of Section No. 401, Port Chalmers. I have, as directed by the Auditor-General, made and filed in this office certified copies of these documents.

I may remark that the original Deed of the Otago Purchase is, I believe, now in the custody of the Resident Magistrate; the late Resident Agent of the New Zealand Company had sent it to that gentleman and myself on the 24th November ultimo.

I have, &c.,
WALTER MANTELL,
Commissioner.

SIR,—
I have the honor to report, for the information of His Excellency the Governor, that the final sum of £600 due upon the Murutihik Purchase has been paid by me to the Native owners. Half of the amount was distributed at this office on the 3rd instant, and the remainder on the 25th instant—the former to the late claimants of the eastern and western portion of the block, the latter to those of the central portion.

I have, &c.,
WALTER MANTELL,
Commissioner.

SIR,—
I have the honor to transmit the original receipt on parchment for the additional sum of £600, directed by His Excellency Sir George Grey to be paid in conclusion of the Murutihik Purchase. I have deposited a copy of the receipt with that of the deed of sale in this office.

I have, &c.,
WALTER MANTELL,
Commissioner.

Walter Mantell, Esq., Commissioner of Crown Lands, Otago.

Crown Lands Office, Otago, 28th November, 1854.

The Hon. the Colonial Secretary.

Crown Lands Office, Otago, 12th December, 1854.

The Hon. the Colonial Secretary.

Crown Lands Office, Otago, 13th December, 1854.

The Hon. the Colonial Secretary.
No. 17.

Receipt for £1,000, First Installment of Murikiru Purchase.

Kua oti te tukanga hutaia ana kotahi manau pauna (£1,000) kua riro mai ki a matou ki tenei rangi mao, ara, ki te toru o nga ra o Otakopio i te tau kotahi mano runga tau e miria te kau mai teot i Koputahi. Na Walter Mantell, Esq., Commissioner for extinguishing Native Claims, i tuku mai ki a matou.

[Signatures]

Ko Te Toku, tenei ra | Witnesses, Hugh Robinson.

Piako.

Bota Fikaroro

Witnesses to the signatures and marks—

Edmund Hooker Wilson Bellairs, Esq., Dunedin, Otago.
James Fulton, J.P., West Taieri.
Robert Williams, J.P., Dunedin, Otago.
A. Chatham Strode, Esq., Dunedin, Otago.
Charles H. Rethel, J.P., Dunedin.
William G. Eileen, Dunedin.
Richard Anthony Eileen, Dunedin.
Robert Chapman, of Dunedin, Clerk to the Bench.

Sealed by me, this 17th day of August, 1883.

[A. CHATHAM-STRODE]

[Translation]

The payment of the first instalment has been made, that is, one thousand pounds have been received by us on this, the third of the days of October, in the year one thousand eight hundred and fifty-three, at Koputahi. It was handed over to us by Walter Mantell, Esq., Commissioner for extinguishing Native Claims.

[Here follow the signatures.]

No. 18.

Receipt for £1,000, Second Installment of Murikiru Purchase.

I Awarua ki te tuku ma riro o nga ra o Popuoro, i te tau kotahi mano swara tau o rime te kaua ma wha, kua oti te tukanga tuara ana, kotahi mano pauna (£1,000), kua riro mai ki a matou ki tenei rangi ano na Walter Mantell, Esquire, Commissioner for extinguishing Native Claims, i tuku mai ki a matou.

[Signatures]
Ko nga ingoa o nga kai intiro—
Witnesses to the payment and signatures—
Henry France, Corporal of the Armed Police, Otago.
Walter Mantell, Commissioner, Otago.

[TRANSLATION.]
At Awarua, on the fifteenth of the days of February, in the year one thousand eight hundred and fifty-four, the second payment has been made, that is, one thousand pounds have been received by us this day, having been handed over to us by Walter Mantell, Esq., Commissioner for extinguishing Native Claims.

[Here follow the signatures.]

No. 19.
Translation of Mutual Deed.
Let all the Nations know. We the chiefs and all the people of all the lands lying within the boundaries hereunder written, derived through our ancestors from whom it descended to us, the plan whereof is hitherto annexed, have written our names and marks as the act of consent of us, for ourselves, for our relations, for our families, for our heirs now living, and our descendants shall be born after us,—entirely to give up all those our lands which have been negotiated for, the boundaries of which have been described, and the plan whereof is annexed to this deed of conveyance, to Her Majesty the Queen of Great Britain, her heirs and successors for ever, as a lasting possession for her or for the Europeans to whom Her Majesty, or rather His Excellency the Governor, shall consent that it shall be given.

And whereas we have agreed entirely to give up our land lying within the boundaries hereunder written: Walter Mantell, the Commissioner for extinguishing Native Claims (by virtue of the authority given to him by His Excellency the Governor-in-Chief to arrange and determine the price to be paid for these lands), agrees that he will pay us the sum of two thousand pounds sterling, the manner of payment to be as follows.—The money shall be divided into two portions: In the first installment there shall be one thousand pounds, which shall have been paid to us at Otago when all the people shall have assembled. The second installment of one thousand pounds shall be paid at Awarua in the month in which the money arrives. The whole of the moneys of these payments being added together, they shall amount to the sum of two thousand pounds, as agreed upon above.

Now those are the boundaries of the land which have been annexed: The boundary commences at Milford Haven (the name given to that place in Mr. Kemp's deed is Wakipisu, but by the Maoris it is called Pouniatai), thence to Katikur; thence to Tokete, strictly following the old boundary line of Mores, Kemp and Symonds, and by the coast from Milford Haven round to Toketa, with Tahura Naretok, Morupiu, and all the lands lying adjacent to the shore (excepting the Kaupaka group), and all the lands within those boundaries, with the anchorages and landing-places, with the rivers, the lakes, the woods, and the bush, with all things whatsoever within those places, and in all things lying thereupon. A more accurate description and representation of the land is given in the plan hereto annexed.

All the lands, and all other things above enumerated, and which lie within the boundaries above recited, have been entirely surrendered to Her Majesty the Queen for ever and ever.

But those portions of land which have been set apart by Mr. Mantell, and surveyed by C. Kettle Esq., J.P., Government Surveyor, at Tutanau, Omaoi, One, Aperima, Orion, Kawakaputapuia, and, Onehutae, marked with the figures 1, 2, 3, 4, 5, 6 and 7, and coloured yellow, are for ourselves as lasting possessions for us and for our children for ever. The only portions for ourselves are those just named
We also agree that the portions which have been reserved for us shall not be sold without the consent of His Excellency the Governor.

And if His Excellency wishes at any future time to cause a road to be made through the land reserved for us, we agree to give up some portions thereof without any payment being made, that the roads which he thinks necessary may be properly laid off.

And in testimony of our true and unreserved assent to all the conditions of this deed, which has been read aloud to us, we have signed our names and marks; and in testimony of the consent of Her Majesty the Queen of Great Britain, Walter Mantell, Commissioner for the extinguishment of Native Claims, hereunto signed his name.

Our names and marks were signed to this deed on the seventeenth of the days of August, one thousand eight hundred and fifty-three, at Dunedin.

[Here follow the signatures.]

No. 20.

WHAKAPONGI MAI te e nga tangata katoa a no te raka kua whakae mai His Excellency Sir George Grey, Governor-in-Chief, kin apiti kahi e one nga rau paua ($500) ki nga utu i whakairia ai hei uta me o matau whanga ki Marihuku kua taman ariki a Hei Majesty the Queen, na ki nga rau mano ($5000) kua oti nga atu te tuku ki a matou o Walter Mantell, Req., Commissioner kia tahia i matou ikoa me o matou tohu ki raro nei hei whakamotio ki ka takata haka ki te takunga aua one rau ki a matou e tanu Mr. Commissioner Mantell, hei takutu ki ia takata hata o Marihuku.

I Dunedin, Otapoto, Nobesna 4, 1854.

Eturu rau ($300) paua kua oti nei te homai ki a matou o Walter Mantell, Req., Commissioner i tenei rahi ano.

Ko ngai ngao o nga kai titiro—

Witnesses to the signatures, marks, and payments—

Robert Fulton, West Taieri.

Jno. Heston, Dunedin.

A. Chetham-Strode, Otago, R.M.

I Dunedin, Otapoto, Nobesna 25, 1854.

Eturu kahi ki rau paua ($400) kua oti nei te homai ki a matou o Walter Mantell, Req., Commissioner, i tenei rahi ano.

Riwai Te Maniaora

John Topi Patuki

Tere Hemu

Mose Huemo, his x mark

Heni Riki

Weatukuru

Makiao, his x mark

John Noea, his x mark

Ko te kai titiro—

Witnesses to the signatures, marks, and payments—

A. Chetham-Strode, Resident Magistrate, Otago.
PAPERS RELATIVE TO THE PURCHASE OF A BLOCK OF LAND NORTH OF AOREE, IN MASSACRE BAY, PROVINCE OF NELSON.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Jan. 5, 1853</td>
<td>Mr. M. Richmond</td>
<td>Colonial Secretary</td>
<td>Describing the capabilities of the country north of Aoree, and recommending that a sum of £600 should be expended in its purchase.</td>
</tr>
<tr>
<td>2</td>
<td>Jan. 5, 1853</td>
<td>Mr. M. Richmond</td>
<td>Colonial Secretary</td>
<td>Stating that he had endeavoured to arrange the purchase of the land on the West Coast from Te Whangai to Massaca, but without success, in consequence of the high price demanded by the Natives.</td>
</tr>
<tr>
<td>3</td>
<td>May 21, 1852</td>
<td>Mr. M. Richmond</td>
<td>Colonial Secretary</td>
<td>Reporting that he had finally completed the purchase of the block to the north of the Aoree to the satisfaction of all concerned.</td>
</tr>
<tr>
<td>4</td>
<td>May 31, 1852</td>
<td>Mr. M. Richmond</td>
<td>Colonial Secretary</td>
<td>Reporting that the claims on land south of Wanganui could probably be settled for £2,000.</td>
</tr>
<tr>
<td>5</td>
<td>Aug. 24, 1852</td>
<td>Clerk to the Superintendent</td>
<td>Mr. Thos. Brunner</td>
<td>Requesting him to hold himself in readiness to proceed to Massaca Bay, to make a survey of the newly acquired block, and lay off two reserves in it for the Natives.</td>
</tr>
<tr>
<td>6</td>
<td>Aug. 21, 1852</td>
<td>Clerk to the Superintendent</td>
<td>Mr. Thos. Brunner</td>
<td>Referring to previous letter, and giving directions as to the position of the two reserves for the Natives.</td>
</tr>
<tr>
<td>7</td>
<td>Sept. 15, 1854</td>
<td>Winiua Te Kohina</td>
<td>Governor Browne</td>
<td>Requesting Crown Grants for the land at Pakawau and Te Re.</td>
</tr>
<tr>
<td></td>
<td>Sept. 15, 1854</td>
<td>Mr. J. Mackay, jun.</td>
<td></td>
<td>Memorandum on the above.</td>
</tr>
</tbody>
</table>

No. 1.

The Superintendent of Nelson to the Hon. the Colonial Secretary, Wellington.

Superintendent's Office, Nelson, 5th January, 1852.

Sir,—

In carrying out the instructions of His Excellency the Governor-in-Chief relative to the purchase of the block of land in Massaca Bay, which has not been solicited by the Natives, I went over a great part of the tract, accompanied by Mr. Tainui, the Native Interpreter, and several of the chiefs who have an interest in the land, previous to entering into any negotiations with them. By this means I ascertained that the available portion, although considerable, was neither of the character nor quantity to warrant me in recommending His Excellency to give the price (£1,000) they demanded for it. The chief value of the district consists in the minerals, particularly the coal, which is in great abundance, and of the same good quality as the sample which was tried before His Excellency while at Nelson.

The seam, or rather field, is of great extent. We walked about three miles over it up a stream called the Pakawau. In several parts it jutted out four or five feet, and it is evident of considerable breadth, as the same indications appear in the small remnants which run into the Pakawau or exist in that stream. There are great facilities for working this coal: barges can enter the Pakawau at half-tide to within a mile and a half of the commencement of the seam, and at high-water, if spring tides, can reach to about two-thirds of the distance. The seam also lies in a horizontal position, with good natural drainage, and so near the surface, as was traced by the bed of the stream, that a large supply can be obtained for many years by merely quarrying.

There is scarcely any perceptible rise through the small valley at Pakawau, which forms a pass between the hills from Massaca Bay to a large harbour called Te Whangai, on the West Coast, and I understand from engineers acquainted with the locality that a good railway (the materials for which are on the spot) could be laid down, at a telling cost, between the coal and where the barges would take in their loading.

Plumbago exists upon a hill sloping into the Pakawau, which appears easy of access; and copper is said to have been found in the rocks behind Tamatea Pa, on the sea coast, and a short distance from this valley.

With the prospect of such abundance of good coal and other valuable minerals in the district, I was the more anxious to acquire it for the Government at once, as the longer the purchase was delayed (it appears to me) the more difficult it would be of accomplishment, for I found the Natives had already been aroused by the reported value of the minerals upon their land, and if they were advised that it would be more to their interest to retain the ownership, the present opportunity might be lost of acquiring it. I therefore arranged with the Native chief William King Te Kohina, who resides at Pakawau, for the purchase of all the land commencing from the limits of the late New Zealand Company's survey at the mouth of the Aoree to Cape Farewell and the Sand Spit, and the
West Coast from Cape Farewell to Te Whangai, including the latter harbour, for the sum of £200, out of which he engaged to settle with the other claimants connected with the district; but having had an opportunity of seeing some of these claimants on the subject since the above arrangement, I observed that William King's influence was not sufficiently recognized over a portion of the district, and objection was made to these terms; but I entertain no doubt that if His Excellency's wishes were carried out to my disposal, a further sum of £100, making the purchase-money £300, that I would be able to conclude, finally and satisfactorily with all parties, for the acquisition of so valuable a district to the Nelson Settlement.

In my progress through the district of Massacre Bay I was grievously to find so many was deserted, and those that were occupied so miserable in appearance and containing so few inhabitants that I suggested to them the advantages of congregating in one or two places where villages might be formed, schools established for their children, and places of worship erected; and pointed out to them at the same time the impossibility of their improvement whilst living in this isolated state. I anticipate that this advice will be acted upon except in one or two localities, where the old inhabitants expressed great reluctance to leave the places where they had buried their fathers and children. Such an appeal could not be resisted, and I promised that reserves should be made for them.

I have, &c.,
M. RICHARDSON,
Superintendent.

No. 2.

The SUPERINTENDENT OF NELSON to the Hon. the COLONIAL SECRETARY, Wellington.

Str,—
Agreedly to His Excellency, the Governor-in-Chief, the arrangement for the purchase of the land on the West Coast from Te Whangai Harbour to Ruapuke, comprising all the land along the coast to the South of the Island, which the Natives have so long desired to dispose of, to the Government; but I found they place so exorbitant a price upon it, ranging from ten to forty thousand pounds, and obtrusively adhered to these terms, that of course I could not press with the negotiation, and I merely promised that I would acquaint His Excellency with the matter. I may mention that the Natives of Motupipi interested in the purchase agreed for the sum of £2,000 as the price of the district, but this has been repudiated by the Natives residing at Blind Bay.

I have, &c.,
M. RICHARDSON,
Superintendent.

No. 3.

The SUPERINTENDENT OF NELSON to the Hon. the COLONIAL SECRETARY, Wellington.

Str,—
Referring to my letter of the 5th January, on the subject of the purchase of the block of land in Massacre Bay there alluded to, I have the honour to report for the information of the Governor-in-Chief that His Excellency's instructions have now been carried out, and the purchase completed to the satisfaction of the Natives residing in the district, as well as all others who we could learn had any interest in the land; indeed, the greatest pains have been taken, and every information sought, in order that no claimant, however small his interest, should be left out.

The accompanying documents testify the fullness of the negotiation, and the concurrence of the several parties to the sale.

The reserves that I previously reported should be made in two localities, it will be observed, are not inserted in the deed, as the Crown Solicitor was of opinion that it would be better to take a conveyance for the whole block, and then give others for the reserves to the respective Natives, when the exact boundaries were ascertained.

The importance of this acquisition to the Nelson Settlement can scarcely be overstated, as it not only extinguishes the Native title to a tract of land which was required to complete the Nelson Block, but more especially as it contains those elements of waste, and prosperity to the settlement which I brought under His Excellency's notice in my communication of the 5th January.

I have &c.,
M. RICHARDSON,
Superintendent.

No. 4.

The SUPERINTENDENT OF NELSON to the Hon. the COLONIAL SECRETARY, Wellington.

Str,—
During the stay at Nelson of the Natives who had assembled for the sale of the land at Massacre Bay, they were urgent that an arrangement should be made for the purchase of the West Coast. I pointed out to them that the present was a good opportunity for their arriving as a decision as to the price they required. The result is that they still adhere to the sum of £2,000 for the coast line, and now add £1,500 for the interior of the country, from the Botanica proceeding southward, which is claimed by the tribe represented by Te Iti and Ngapiko (of Motuaka).
The coast line from Te Whangamuri to the southermost portion of the Island is claimed by Natives of the Ngatiama and Ngatiaraus Tribes, and the claims of the Ngatiama Tribe resident upon the land is paid by the Natives now here to be included in the £3,000. Indeed, I have reason to believe that the whole of the claims could be satisfied for the sum of £2,000, but as His Excellency the Governor-in-Chief, on a previous reference, considered the sum exorbitant, I of course could not treat with them on those terms.

As this purchase has been a long time pending, and the Natives have become very important and troublesome, I think it would be advisable for the Government to fix a sum, and if it is not accepted by the Natives, then that an end be put to any further negotiation on the subject.

I have, &c.,

M. RICHMOND,
Superintendent.

No. 5.

Mr. Thorne to Mr. Brummer, Government Surveyor.

SIR,—

Superintendent's Office, Nelson, 24th August, 1852.

I am directed by His Honor the Superintendent to request that you will hold yourself in readiness to proceed with the party who are going to Massacre Bay on the 20th or 21st instant, as you will be required to go to that district to make a survey of the newly acquired block of land, and to lay off two reserves in it for the Natives, the particulars of which will be given you before you go.

The Commissioner of Crown Lands will also have some instructions for you relative to the survey of the Tata Islands.

I have, &c.,

THOS. BRUMMER, Esq.

No. 6.

Mr. Thorne to Mr. Brummer, Government Surveyor.

SIR,—

Superintendent's Office, Nelson, 31st August, 1852.

With reference to my letter of the 24th instant, I am now directed by His Honor the Superintendent to convey to you his instructions relative to the survey you are required to execute in the lately purchased block of land in Massacre Bay.

1. You are to lay off two small reserves, to comprise about 10 acres each, for the use of the two families of Natives at present living on the purchased block; one at a place called Te Eoe, which is a short distance north of Pakawau, for the chief Wiremu Te Koahua, and his son James Cook; the other at Te Whangamuri, for the native Matirahi, and his family.

With respect to the reserve for Wiremu Te Koahua and his son, His Honor is anxious that it should be laid off according to such natural boundaries as may be found upon the ground; and His Honor believes, from his recollection of the locality, that there are two small streams which will form good natural boundaries on the north and south sides. It will be necessary to reserve a sufficiently wide strip of land between the eastern boundary and the sea-beach as a right of way, and the western boundary will approach to the hills.

With regard to the reserve to be made at Te Whangamuri, you will consult the wishes of the Native Matirahi, as to whether he will prefer it near to the small pa called Tieoro, on the south shore of that harbour, where he is now living, or on the opposite side of the harbour, where he has got his cultivation, and at the same time inform him that the land to be reserved for his benefit must be in one block and cannot be subdivided.

2. As His Honor very much desires that an approximation may be made of the amount of land lately acquired, I am instructed to request that you will, as far as your time will permit, make such a traverse of the district as to attain that object. I have also to request that whilst executing such traverse, you will cut a line up the Pakawau, of sufficient length to reach the coal seams which exist in that river, and as much farther as you time will permit; and you will report upon the facilities that may exist for land and water carriage, and at the same time ascertain, if your stay will be sufficiently long at Pakawau, the different depths of the river at full and half tide during the spring and neap tides.

I have, &c.,

THOS. BRUMMER, Esq.

No. 7.

Wiremu Kingi Te Koahua, of Pakawau, to His Excellency Governor Browne.

Auckland, 16th September, 1854.

Dear Sir, the Governor, salutations to you. This is a word of mine concerning my pieces of land at Pakawau and Te Ka. I wish to have Crown Grants for these lands, so that I may live securely; also, that I may be able to leave any portion which I please. I have two pieces; I wish, therefore, to have two Crown Grants. This is all,

From your loving friend,

Wiremu Te Koahua.

His Excellency Governor Browne.
MEMORANDUM on the foregoing by Mr. James Mackay, Jun., Assistant Native Secretary.

The writer has a section of 80 acres of land at Te Aro, a few miles north of Pakawau, in Massacre Bay, and I would recommend that he should have a Crown Grant for this. With reference to the other parcel at Pakawau to which he alludes, there is a difficulty.

It has always been asserted by the Natives, that when Major Richmond purchased the Pakawau District, in 1852, it was arranged that Wiremu Te Koikus should have a reserve in the township, at the site of his settlement or pa. There is not documentary evidence, however, in support of this claim.

I recently drew the attention of the Superintendent to this matter, and recommended that one-half of a Government Reserve in the Town of Pakawau should be given up to Wiremu Te Koikus. His Honor stated he would consider the matter.

James Mackay, Jun.

16th September, 1864.
### Schedule

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sept. 14, 1854</td>
<td>Commissioner, Crown Lands, Nelson</td>
<td>Colonial Secretary</td>
<td>Recommending that Mr. McLean should be directed to proceed to Nelson to effect the purchase of certain districts from the Natives.</td>
</tr>
<tr>
<td>2</td>
<td>Jan. 11, 1855</td>
<td>Mr. Thomas Brunner</td>
<td>Commissioner, Crown Lands</td>
<td>Reporting on his trip to lay off the reserves in the Crookstons, Kaiapoi, and other places included in the recent purchase.</td>
</tr>
<tr>
<td>3</td>
<td>Dec. 18, 1855</td>
<td>Mr. John Tinline</td>
<td>Commissioner, Crown Lands</td>
<td>Reporting his proceedings in Massacre Bay with regard to a general arrangement with the Natives for the extinguishment of their claims.</td>
</tr>
<tr>
<td>4</td>
<td>1854-55</td>
<td>Mr. Wm. Jenkins</td>
<td>Commissioner, Crown Lands</td>
<td>Forwarding a journal of his proceedings while employed in assisting Mr. Brunner in defining the reserves required by the Natives in Christchurch, Queen Charlotte Sound, and other places in that neighborhood.</td>
</tr>
<tr>
<td>5</td>
<td>April 7, 1856</td>
<td>Mr. Commissioner McLean</td>
<td>Colonial Secretary</td>
<td>Furnishing a final report on the purchase of Natives lands in the Province of Nelson.</td>
</tr>
<tr>
<td>6</td>
<td>April 24, 1856</td>
<td>Mr. Commissioner McLean</td>
<td>Mr. Thomas Brunner</td>
<td>Memorandum of reserves to be laid off for the Natives in settlement of promises made to them, when extinguishing their claims to the surrounding land.</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by Ngatiawa Tribe, ceding all rights in the Middle Island, excepting certain lands to be reserved for the Natives in occupation.</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by Ngatiawa Tribe, ceding claims to land in Queen Charlotte Sound and Waimea District.</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £500 paid to members of the Ngatiawa Tribe at Takapakai for payment for their claims to land in the Nelson Province.</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £500 paid to members of the Ngatiawa Tribe for claims to land at Gore's Harbour and Totaramu, Queen Charlotte Sound.</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £500 paid to members of the Ngatiawa Tribe for claims to land at Te Atawhiti.</td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £5,000 paid to the Ngatiawans, being the second and final payment to them of the proportion of the amount agreed on in the deed dated 19th August, 1853.</td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by the Ngatiawa and Ngatiawans Tribes, ceding claims to land in the Middle Island.</td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £100 paid to Ngatiawans for all their claims to land in the Middle Island.</td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by Ngatiawa and other tribes, conveying all claims to land in the Middle Island to the Crown.</td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by the Ngatiawa Tribe, ceding claims to Kaikara, 43 Horses, and all other places in the Middle Island.</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by the Ngatiawa Tribe, ceding claims in the Nelson Province.</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by the Ngatiawa Tribe, ceding claims to land at Matupipi and Takaka, Province of Nelson.</td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by the Ngatiawa Tribe, ceding claims at Arowa and other places omitted in former purchases.</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td>Deed of Sale by members of the Ngatiawans and Ngatiawans, ceding claims to land adjacent to Separation Point, Province of Nelson.</td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td>Receipt for £35 paid to Mr. Nangka for his claims to lands in Queen Charlotte Sound.</td>
</tr>
</tbody>
</table>

---

**No. 1**

The **Commissioner of Crown Lands, Nelson**, to the Hon. the **Colonial Secretary**.

Sir,— It is now upwards of a year since His Excellency Sir George Grey intimated that Mr. McLean should be ordered to Nelson for the purpose of completing and carrying out with the Natives the details of the purchase of the land on the Pelorus, Queen Charlotte Sound, and the West Coast of the Middle Island. Communications have been made by both His Honor the Superintendent and myself, bringing under the notice of the General Government that considerable discontent existed 75
among the Natives inhabiting these districts at their not having been consulted about the sale, and their objections in some instances to be parties to it. I therefore am apprehensive that if the final arrangements are not immediately made with them, considerable difficulty and embarrassment will arise, perhaps even to the repudiation of the sale. Under these circumstances, I beg to suggest that when Mr. McLean has completed the business which has taken him to New Plymouth he may be directed to proceed to Nelson for the object above specified, and I shall be happy, should His Excellency concur in this suggestion, to be the bearer of an authority for him to cross over to Nelson in the steamer, in the event of its being in his power to do so.

I have the honor,

M. RICHMOND,
Commissioner of Crown Lands.

The Hon. the Colonial Secretary, Auckland.

No. 2.

Mr. THOM. BRUNNER to the COMMISSIONER OF CROWN LANDS.

Sir,—

I have the honor to furnish you with a report of my trip to lay out the reserves for the Natives in the purchase lately made.

The first places I went to, namely, the Crocodile, Pelorus, and the Kaikoura, the Natives admitted they had sold all their land, and after finding out their numbers, I proceeded to lay off reserves for them, according to the scale furnished, by cutting lines and otherwise distinctly marking the boundaries. I then went to the Waitau, walking through the Kaikoura Valley, having sent the best route to the Waikato, when, after collecting all the Natives together, I found, from information given me by Mr. Jenkins, they held the sale of two reserves in the Waitau, or of Hoki Hood’s Bay, Port Underwood, setting that Kaiwiri, when on a visit there last April, had told them not to part with them, and they would not allow me to make any survey in the district. I then walked through the Waikato Pass to the Sound, and Mr. Jenkins again found the Natives denied the sale of many places, particularly in Tenny Channel, and they also told they would have no survey made until they met in Nelson, and had received the money into their own hands. The Natives had heard that money to the amount of 25,000 had been paid by Mr. McLean to the Natives at Cartwright, and they object to this, saying they had an equal right to the lands with those who have received all the money, but of this Mr. Jenkins can inform you, from his knowledge of the Natives’ language.

It would appear to me there will be a great difficulty in settling with the Natives unless they are all brought together, as the Natives who are now occupying the land refuse to give it up unless they have a vote in the disposal of their claims, and also receive some money payment. The Natives in the Sound expressed a wish that when the purchase is completed, and the survey made, they might have reserves laid out for them, mixed with the sections of the European settlers, and not have one large reserve to themselves; and I think they would gladly give up a part of the Waitau for some of the unused land in the Waikato, and I would advise the Government to do this at once. At Fort Gore I laid out reserves for the Natives, so this claim was bought by Mr. McLean when last in Nelson. I have taken an account of all the claims of the European settlers, which I will furnish you with, and also the plans of the reserves I made, when they are completed.

Having been over the whole of the land between Nelson and the Waitau, I find but little available for cultivation, the only places being some few patches on the banks of the Pelorus, the flat at Mahakawau, an arm of the Pelorus called the Konamora, and some for small bays in the Sound. The principal growth on the land being taws and kawaka, both useless timber for the sawyer, I fear it will be some time before many people will be tempted to try clearing woodland for cultivation. I have pleasure in strongly recommending to your notice Mr. Binsley and his mate, as being two most useful and civil men, and, from their knowledge of the coast, most valuable to the Government, should the use of a boat at any time be required, I shall feel obliged, if you have an opportunity, if you will express to them your satisfaction of the manner they have behaved on this trip.

I have the honor,

THOMAS BRUNNER,
Government Surveyor.

The Hon. the Commissioner of Crown Lands, Nelson.

No. 3.

Mr. JOSE YOUNG to the COMMISSIONER OF CROWN LANDS.

Sir,—

Mr. McLean, the Chief Commissioner for the purchase of Native lands, having requested me to undertake the duty of proceeding to Massacre Bay and endeavour to carry out a general arrangement with the Native tribes of that and the neighbouring districts for the extinguishment of their claims to land in this Province, I do myself the honor to report to you, with the view of your communication with Mr. McLean, that on entering into the instructions contained in his letter of the 12th of November, I engaged a boat and boat’s crew, and left Nelson on the 21st of that month, and accompanied by Mr. Rechert, whose services as a surveyor would most probably be required, proceeded to Massacre Bay, calling on my way at Motuneki and other Native settlements in Blind Bay.

On arriving at Motupipi, and after several meetings with the Natives there, I ascertained that the chief questions I had to investigate were:

1. The claim which had been set up by the Natives of Waitau to all the land extending from the bay called Whaamiti, in Astrolabe Road, to Te Houbou, in Massacre Bay, a place near the north-eastern extremity of Mr. Duffy’s survey at Motupipi.
2. A claim by the Natives of Takaka for their share in the lands of the Takaka.

3. The claim by the Natives of Takaka and the Parapara to the land from Cramske to about a mile north of the Parapara.

The people who make these claims are all of the same tribe, the Ngatiwha, and there is no doubt that the claims have been well discussed amongst them, for they show every determination to assert them to the utmost.

I have carefully investigated the several claims, and believe the first two are made upon tolemibly good grounds, but the third I consider doubtful, and one of afterthought and design.

As the question is still unsettled, and has assumed a serious character, I think it my duty to lay before you my previous knowledge of the matter, and the judgment I have formed thereupon, which may be of use to Mr. McLean when he finally settles with these Natives.

All these lands were included in Mr. Spain's award to the New Zealand Company, and the disputing Natives acknowledge having received from the Company their share of the goods which were distributed to the different tribes in Blind Bay and Massacre Bay, but they ground their present claim upon their not having participated in the money which was appropriated by Mr. Spain for Massacre Bay; that money (£250) lay for some time in Nelson after Mr. Spain had held his Court, the Natives refusing to accept it, as it is considered too small a sum.

At length, on the 10th of October, 1846, the principal chiefs of Massacre Bay, who had come over to Nelson, signed a paper (a copy of which is annexed), agreeing to receive the amount awarded, and amongst those chiefs was Te Methara, as representing the Takaka Natives. At the request of the Natives the money was taken over to Motupipi by Mr. Pux, the Agent of the New Zealand Company, accompanied by Mr. Sinclair, the Chief Police Magistrate at Nelson, the Rev. C. L. Reeve, the Rev. John Aldred, and myself; the money was paid to the Natives then assembled, and a deed taken on the same day, a copy of which is annexed to this report. The tribe accepted the paper, but Te Aupouri, of the Ngatiwha Tribe, signed for him, and engaged to settle with him and his people.

All the English gentlemen I have met, who were witnesses to the payment of the money, and myself, took every precaution to ascertain the names of the Natives interested, and to get them to be parties to the transaction, and all of us considered that the matter was fully settled. In September, 1847, Mr. Sinclair and myself were again in Massacre Bay, being engaged in laying off reserves for Natives purposes, and Te Methara and his people of Takaka brought before me a complaint that Te Aupouri had failed to pay him any part of Mr. Spain's money when it was paid out, and requested Mr. Sinclair to endeavour to settle the matter. We called a meeting of the different Natives, both the complainants and those complained against, when the former asserted their right to the district by virtue of occupancy by permission from Te Ti, a chief of Motukau, to whom they had given horses and other presents in payment. Te Aupouri and the Ngatiwha people replied that they only recognized Te Ti, who was, like themselves, amongst the first conquerors of the district, and had paid him £600, and it was not right that Mr. Aupouri should become further in the affair, but left the Natives to settle it amongst themselves. Nevertheless, however, these Takaka Natives have complained of being unjustly dealt with, and have looked to the Government to see them righted.

It was whilst upon this visit to Massacre Bay that we found a considerable body of Natives at the Waimui, who made a formal application for payment of their lands there and in that neighbourhood; and Mr. Sinclair, in making his report to the Colonial Secretary, 26th October, 1847, thought it necessary to mention this claim in these words: 'I ought to observe that these Natives deny having received compensation from the New Zealand Company, and they look for payment before they will allow the Company to survey the land; however it seems to me to be of very little consequence to the Company, as beyond the block I have set off in the Waimui Valley there is little or no other available land in the whole district, and very few inducements for European cultivators to occupy it.'

Upon entering upon the investigation of these claims, it is necessary to bear in mind that the lands now in dispute were never exclusively the property of one party, but as they were originally gained in consequence of the number of tribes—Te Ti, Te Whakatou, Ngatiwha, Ngatiwha, Ngatiwha, and Ngatiwhokohu—these tribes had all some interest in them.

I consider it, therefore, of great importance that Mr. Spain's award should be kept inviolate, as it at least holds good against those parties who received money under it. In my late meetings with the Natives at Motupipi, I based my negotiations on that award, as I felt convinced it was the only way the Government could settle the present claims upon reasonable terms, and I therefore intimated to the Natives that I considered the land in dispute was already purchased, but that the question for me to investigate was how the money awarded by Mr. Spain was distributed, and should I find that any tribe had not received a share of that money, I would, on the part of the Government, take the claim of that tribe into consideration, and recommend some compensation to be made.

This plan, I fear certain, would be the fairest that could be adopted, as, unless some approximation is made to the money payments formerly made, it would cause great dissatisfaction to the Ngatiwha and other tribes who have already received compensation, and who would be inclined to make fresh demands if they saw any large sum of money now paid.

The Natives of Waimui are most anxious to make out that their lands were never included in Mr. Spain's award, and that this is entirely a new sale, and their demands accordingly are most exorbitant. They ask £2500 in liquidation of their claim. In the course of my negotiations with them I went careful into the examination of the cases which have been made for them, when at their suggestion I agreed to cancel certain old and useless reserves, and to put other land in their place. The plan thus altered, with explanatory notes, is annexed. Having concluded myself that both the Takaka and Waimui people have not received any part of the money awarded by Mr. Spain, I took their case into consideration, and offered them jointly £130 in full payment of all their claims, but they rejected, and they are now determined to appeal to Mr. McLean, in the hope of getting a larger sum out of him. I am still of opinion that the sum I offered is not to be injudicious. As some dispute had arisen between the Natives of Takaka and some European settlers about
the boundaries of the reserves there, I engaged Mr. Boeckh's services to survey them lands in dispute, and I endeavored to settle the differences between the parties as fairly as it was possible to do.

A more detailed account of the transaction I have given you in my letter of the 7th instant. According to the measurements of the plan upon the ground, Mr. Boeckh found that a great deal of the old cultivations on the Old Settlements would have to be abandoned in consequence of the claims to reserves, under Section No. 13. This gave great offense to the Natives, as the Government has always assured them that their cultivations and pastures would be respected, and it is of great importance that the Government promise should not be broken.

I think that when Mr. Haeppy laid off the cultivations he must have made some mistake in plotting them upon the plan in the Survey Office; but it would be unjust for the Natives to suffer from this mistake. I would therefore recommend that steps be taken to verify the survey of the reserves, under Section No. 13, and add to the reserve in question land covered yellow in the accompanying plan, and which embraces the houses and cultivations at present left out.

With reference to Native Reserves in general, I ought to observe that I found a universal complaint amongst the Natives upon the subject. Not only is it asserted that they are too small, but the limited and undefined power over them of the parties in occupation gives much dissatisfaction. My own opinion is, with regard to Native lands in Muscoda Bay, that as they were reserved for the use and benefit of the inhabitants of that district exclusively and not in trust as in other parts of this settlement, those Natives ought at least to have the power to let or lease such portions of their reserves as they are not in immediate want of. To prevent their being taken advantage of in such transactions, it would be advisable for the Government to be a party and give its sanction to them.

There are several Natives who are desirous to acquire land from the Government by purchase, and it is very important to offer every facility for that purpose, as it would in a great measure get over the objection that the Natives have to the survey being made, by showing them that we are anxious to keep them on peaceful terms, as it will raise them to an equality with Europeans as land proprietors, with the risk of having property to lose. Some of these Natives would pay for considerable portions of land at once, whilst others would require time to pay the purchase money by instalments. The sections the Natives would like to buy are Nos. 11; 19; 34; 35; and, first of all, the Ngatiuruca Natives at Metuppi, the second for the Native of Taika, and the third for a small tribe now living in Muscoda, of whom a Native named Raniwa is chief.

Raniwa and his people are entirely without land of their own; they apparently squating upon other Native land, and unless the Government takes care that other land is provided for them, they must soon emigrate to Taranaki, which place they belong. Should the Government accede to the sale of these lands to the Native surveyor, should he be ever to lay them off in blocks according to the directions as I wish of the purchasers, and Crown Grants might be issued to them in lieu of the land when the money is paid.

My negotiations at Metuppi having terminated abruptly and unsuccessfully, I proceeded to Taranaki, where the Manu, named Firiiks, who has had the disturbance with Mr. Caldwell, is residing. The claim of this man, with a few others living at Te Parapara, headed by the Native named Henari Te Ranga, is quite a new one. When Mr. Spack's money was paid these people lived at Te Parapara, near the Aorere, and I am informed that Thomas Freeman and Mori, the chiefs there, required £100 as their share of that money, and with this they were to settle with the other Natives living with them. The two men who are now disputing the sale of land say that their fathers and relations received no part of the money, and that they themselves were very young, and did not understand much about the matter, but that since they have grown up they consider themselves owners of the land. I believe the claim to be most unreasonable, and that their conduct to Mr. Caldwell has been unjustifiable. Mr. Caldwell, however, represented the circumstances to me in such a manner—the losses he has already sustained, and the dependent state he would be in were he to force the man to leave the land he has bought and pay him the money which he claims, that I thought I ought to pay him £100 to settle the dispute, but this they refused to accept. They imagine they will be better off by referring the matter to Mr. McLean; but I consider myself that even although their claim was just, which I believe it is not—the sum which I have offered is more than they would be entitled to, the whole of the land in dispute, with the exception of the piece belonging to Mr. Caldwell, being of very limited extent and very worthless.

When the reserves in the Aorere were laid off in 1847, the present disputing Natives there, and their numbers, were taken into account when the section No. 94 was set apart for the Ngatiuruca people, then residing at Te Parapara; since that period they have returned to what they term their original lands at Taranaki and Te Parapara, apparently with the view of asserting their present claim. Should it be found necessary to pay any sum of money to these people, I should certainly advise that a portion of the Aorere section, No. 94, equivalent to their numbers, be cancelled, and held back by the Crown.

I am concluding my observations upon this claim. I think it but right to mention that there are some very old cultivations upon the land now held by Mr. Caldwell which were neglected to have been surveyed and reserved by Mr. Haeppy, amounting to about 10 or 15 acres, and I believe if this had been done the Native Firiiks would have been satisfied from the beginning. He bears a good character as an obliging and industrious man, and it appears that he had fenced in and cropped a portion of these old cultivations, when Mr. Blackborough bought the section from the Government and ordered the Native to remove and confine himself to his garden, consisting of about three-quarters of an acre. This answer of the Natives, and the conditions under which he would have to hold his garden, Heaere, to Ranga, who is a very designing person, has urged him to join him in asserting a claim to the whole district. I am told by Mr. Blackborough that previous to his selling the land to Mr. Caldwell he was offered £80 by Parata for it, if credit could be given; so that it is after this time he could have thought of making the present claim.

I went as far as the Native settlement of Parapara, where there are residing about a dozen Natives. It is to be hoped that it will be advisable to reserve, in addition to the reserves on Section No. 188, the whole of that section, as it is only suitable for Native purposes. The land generally is of a very inferior description.
On ending my conference with those Natives, I visited Narawakaha, where the Ngatians chief, Hemsro To Kea, resides. He and his son informed me that Mr. McLean had promised to give them the section No. 79 of that district in which they have their pass and chief part of their cultivation. I told them that Mr. McLean had not mentioned the subject to me, but that I would lay off the boundaries of the section and see what kind of land it was, but I myself could make them no promises of the land, and must refer the matter to Mr. McLean. I examined the section, and found three-fourths of it consisting of hills or land not worth cultivation. Still, I think that in this instance the land should not be given in a present, as Hemsro To Kea is not a very old resident here, and a jealous feeling would be created amongst other Natives if any preference was shown him. It would be much better if some arrangement could be made for his purchasing it. I assure a plan of the section, showing the position of the old reserve in relation to it.

I intended to have proceeded to the Acrees, but the Natives of that place had gone over to Nelson. I understand it to be the wish of the tribe interested in section No. 24, on the north bank of the Acrees, to get it exchanged for section No. 18 on the south bank, the former being found to be waste land, and at the same time the Natives generally being anxious to have their two sections in close proximity. I beg to recommend that such exchange be made.

Having fulfilled my mission, as far as it was possible for me to do, I returned to Nelson on Saturday, the 19th inst. I much regret that I was unable to bring these perplexing land questions to a successful termination, but I think that in Mr. McLean’s return, when long ago open negotiations with the several Native claimants, if a firm stand is taken by the Government to resist their extravagant demands, a fair and satisfactory result will be attained.

Major Richmond, Commissioner of Crown Lands, Nelson.

I have, &c.,

JOHN TAYLOR.

No. 8.

INTERESTED'S REPORT OF INFORMATION OBTAINED DURING A VISIT TO KATUNA, POLURAS, NATUAS, WAIRAS, AND QUEEN CHARLOTTE SOUND, Etc., 1835-36.

Tuesday, 13th November.—Started from Nelson, and proceeded direct to Kaituna. Found a few of the principal Natives there; explained the object of our visit, and had a long conference with the chiefs. They were quite willing to part with the whole of theeland, provided they got a fair share of the payment direct from the Government. They pointed out the places they would wish to be reserved, and Mr. Brunner proceeded to lay off the greater part of two bays, Whanganu and Anaikaw, as Native Reserves. They wanted another bay called Whanganu, but we considered they had sufficient without it, particularly as they have a claim to Rangitoto, wherein they purchase removing some time hence. The name of the tribe is Ngatians; the principal chiefs are Maki and Ekae.

Wednesday, 14th December.—The weather being fine, we started, and pulled on to the French Pass, where we slept, and started early next morning, making the best of our way to the Poluras, which we reached on Thursday. Westward, a few miles, and stayed at the house of Hikate, a Ngatian chief, who was on a visit across the Straits. The Ngatians of Kaituna have been in possession of all, and, after a preliminary conversation, messengers were despatched to muster the people for a council. The next day, we assembled, and had a council, which lasted till late in the evening. Each speaker strongly opposed the selling the whole of their land. They said, "Although we were once conquered by Ngatians and Ngatians, we have never been driven from the land of our fathers. We consider that we are your people, a living people, and have a right to speak when our land is being sold without our consent, and no payment is received by us. Our conquerors did as they pleased before we became British subjects, but now we think quite to have half of the talking about it, and half of the payment for it; and therefore we now positively say that unless the Government pays into our hands a fair share of the amount, we will not give it up, neither will we allow it to be surveyed; but if we are dealt fairly with by the Government, we shall be glad to see the white man come and cultivate the ground." The next day they pointed out the boundary of what they intended to reserve, including nearly all their burial-grounds. This they said we may mark off, and the rest they were willing to give up on receiving payment for it. The few Ngatians who were present said that Kauri Puts had not included the districts called Kongopu and Mahakekopu in the sale of those lands, but intended to keep them for their own use. I distinctly told them that the whole of the land was sold by Hikiwi, and that as those places were some of the best in the district, we could not think of reserving them for their use.

We spent the rest of the week in cutting a line at each end of the reserve pointed out, which we consider is sufficiently for all the Natives in the district. After procuring all the information I required, we returned to Kaituna.

Monday, 21st December.—Was spent in conversing with Huru (Kopapa), the Ragitano chief, and the next day we had a general council. Like the Poluras, these, they are not disposed to give up the land until they have received payment for it; but in the meantime they allowed us to lay off a reserve at the lower end of the valley, by cutting a line across the valley about two miles up.

He said he would not agree to sell the Matata's ist, which lies between the Poluras and the Kaituna Rivers, and which was spoken of by Mr. Barnieston as a site for a township. All the Natives here oppose auction for the white man to settle amongst them, and the chief Huru is a well-behaved and very good-natured man, and treated us with great kindness. He appears very anxious to see Mr. McLean at Nelson, that he may speak his mind. Having finished our business here we sent the boat round to Queen Charlotte Sound, and started through the Pass for the Wairas, accompanied by two Native late. We got through to the banks of the Wairas in eight hours, and finding a fresh in the river, we remained at the house of Mr. House all night.

76
Friday, 15th.—The river being passable we crossed, and proceeded to Robinson’s station on our way to the Native pa. Slept there, and on Saturday I went down and conversed with the few Natives who were present, and requested them to muster the people for a Karora on Monday. Returned and spent the Sunday at Robinson’s, and were hospitably treated.

Monday, 17th.—We were informed that all the Natives present, and were at once informed by their Runner (Puaa) had been there a few months ago, and had distinctly told them that they had not sold the reserve in the Waiaru, nor yet several of the bays in Fort Underwood, among which were Otawira (Robin Hood’s Bay), and Ngatia, the old mission station. Rawiri also said to them that he intended to settle at Waiaru shortly, and he should require all the land for cultivation.

Kane, the brother of Puaa, was on the other side of the Straits, and the Natives were expecting his return daily, and wished us to wait and see him. As we could not do so, we obtained all the information respecting the different tribes, and the boundaries of their land, &c., &c., and left the matter to be settled when they met at Nelson. The poor Rangitane Natives there say that the Government does not treat them well in these matters, but they will speak when they see Mr. McLean.

Tuesday, 18th.—We started for the Tasmanina River, and finding some of the Natives already there, we hired a canoe, and proceeded as far as we could go up the river to the edge of the bush, where we encamped for the night. The rain came down at daybreak next morning, so we hastily took up our blankets and started at once through the Pasa to the Waitoki settlement in Queen Charlotte Sound, where we arrived after seven hours’ heavy walking, thoroughly drenched by the rain and the under- brush, which has grown so much as greatly to increase the labour of the traveller. We found our boat had arrived only the day before our arrival, having been detained in Gore Bay by contrary winds. As only a few Natives were there, we started on Friday morning for the head of the south-west arm, Akatore, saw some of the Ngatiwharua Natives, and told them to get their people together, and we would visit them as soon as convenient after Christmas Day, so as to go through the Akatore Pasa to Makatupawa, in order that he might report upon that district, not having had an opportunity of seeing it while in the Pelorus. This will become a valuable place on account of its proximity to Queen Charlotte Sound, and there is a good deal of available land there, and should by all means be secured by the Government. We again got well drenched from the rain and the underbrush in the Pasa, and on returning to Akatore at dusk found the tide up, so we had to walk through it for half a mile to our boat. Being very cold we stripped, and wrapping our blankets around us started in the boat for Waiwha, where we arrived in two hours, and retired for the night.

Saturday, 23rd.—As the Natives had not arrived, and hearing that many of them were in Tory Channel in search of Christmas cheer, we set off in expectation of meeting with some of the people from the north entrance. On arriving we heard that a great many from different settlements had returned home that morning, having heard of our arrival in the Sound, and would therefore be expecting our visit. We stayed at Te Awa at and spent a merry Christmas.” Abundance of good food was provided by all hands, and a general welcome was found for both white men and Maoris.

Tuesday, 27th.—I went to see an old Ngatiwharua chief, residing in Tory Channel and owning greater part of it, named Ngawhau or Whitenau. Had a long conversation with him, and found that he was not willing to part with any land in the Channel. He said he must be required it all for his own people, and never thought of parting with it. I told him that the whole of the Sound was sold to the Government. He replied, “My land is not sold, nor has any one but myself a right to sell it; and I have never been asked to do so by the Government. When I sell it I will make my own bargain and receive the money; but you cannot take it off me.” Having heard that Rawiri Puaa on the part of the Ngatiwharua, and Hosni Tawhata, Terrickia Te Metenga, and Aniwaita and others of the Ngatiwharua resident in the Sound, had signed the deed of sale and agreed to the terms of payment for the whole of the land in the district, he replied that Rawiri had been with him a few months back, and told him that he had not sold it—that Tory Channel was not in the block sold by him; that if the Government wanted it, he (Ngawhau) of course was at liberty to make his own bargain. Before I left he agreed to accompany me to Waiwha, to meet the Natives and hear what they were going to do.

Wednesday, 28th.—Started from Te Awa at 8 o’clock and went on to Ngawhau’s to breakfast, after which he and his people took boat and accompanied us up the Sound. Soon after our arrival a goodly number of Natives mustered, and that same evening we had a long council on the subject of land selling. Several chiefs present were willing to sell the major part of the land, should the Government offer them a fair price for it; but at the same time they would reserve enough certain places of their own choosing for their own use. Further than this they would not go until they had seen Mr. McLean at Nelson. They appeared very jealous of the proceedings of Ngatiwharua, and strongly asserted their individual right to the land they possessed, and to the payment for it should it be sold.

The chief Aniwaita behaved very civilly in the matter; he was willing to sell all his land and to take a reserve from Government, after he had seen Mr. McLean at Nelson. I believe him to be a very conscientious man, and upright in his dealing.

Boreana of Waiwha would reserve a large piece of his land, and only part with the remainder if he got well paid for it.

Ngawhau is a fine fellow, high-spirited and independent, yet very friendly to white men. Though very quiet, he is an eloquent speaker, always commanding attention, and generally carries his point; he is one of the oldest residents in Queen Charlotte Sound.

Thursday, 29th.—We all proceeded to Ngkata, a few miles higher up the arm, where we met the chiefs Tawhata, Rawiri, Te Boupa, Hosni Kopa, and others, and at once commenced a very spirited council. Matters were warmly and eloquently discussed. Hosni Tawhata would give up all the land to the Government, but Hosni Kopa and Ngawhau were firm to their purpose and would make no arrangement until they had seen Mr. McLean. After obtaining the particulars I required, we went to the head of the arm Anikawa, and met the Ngatiwharua Tribe. I found they had not a great deal of land, as the land claimed by the late Mr. Joseph Toms, of Te Awaui (1,160 acres),
is a part of what they still claim and are offering for sale. They wished us to lay off a reserve within Mr. Toms's boundary; of course we could do nothing until after the Nelson meeting. They appeared much annoyed at my alluding to Toms' claim, and declared it was only the timber and not the land that was sold. After taking down their names and the boundaries of their claims, we left them, feeling rather dissatisfied with the koreno.

Friday, 29th.—Went to examine the small bays on the opposite shore, and crossed a low ridge into an arm of the Pelorus Sound. The distance from beach to beach not being more than half a mile, canoes have been dragged across by the Natives in war times. The ascent and descent is very gradual, and, if necessary, a dray boat could be made with little expense. This crossing-place is directly opposite the township of Waihau.

Saturday, 30th.—Went on to Watamango, the residence of Aminurapa and party, a very pretty spot only a short distance from Waikawa. There is a large quantity of good sand and some excellent timber, and it is one of the best places in the Sound. As the weather was too fresh, we remained there until evening, and then set off for Tory Channel, where we spent a pleasant Sunday at the house of Mr. Bowden, and were treated very hospitably.

Monday, 1st January.—Left Te Awairi and proceeded direct to Ship Cove, as the north entrance. Slept there, and at daybreak on Tuesday went across the Sound to Ouaeraru (Cabbage Beach), a large and favourite settlement of the Paketu and Ngatiwairiki Tribes. On our arrival, messengers were despatched over the hills to muster the Natives from the various cultivations, and before evening, the place was awash with men, women, and children. A koreno was held all night, and continued until nearly daybreak. The principal speakers were Herenukia, Te Matenga, Aminurapu, Tamati Waka, Pomai Kerehi, Wiremu Patene, Hori Hekete, and Rihari.

Wednesday, 3rd.—Being told that our "koreno" was over, and that they would be glad to hear my koreno, I told them the object of our visit, reminding them that they had already signed a deed by which they agreed to sell the whole of the Sound, and that a price had been fixed by themselves, the Ngatiowaru chief, and Mr. McLean, and now all that remained to be done was, the laying off certain reserves for their use, and the surveying of the district, and then it would be sold to whoever chose to purchase.

They said in reply, "This is all very good, but we now tell you that you and the Government are playing with us. Mr. McLean has broken faith with us, and instead of paying the remaining installments in Nelson, as agreed upon when we signed the document you refer to, he has actually only a few days since paid into the hands of Ngatitoa the sum of £9,000, without giving our consent, or even acquainting us with his intention of doing so."

I told them they should not mistake— that Mr. McLean would certainly fulfill his engagement with them; and act fairly towards them; when a young chief named Rihari rose and said, "No; we are not mistaken; I saw the money paid into the hands of Ngatiowaru only a few days before I left Te Awairi. Those Ngatiowaru appear to do as they please with the Government: they ask for the Josef and it is given them without a word, but we have to beg for the crumbs, and wait a long time before they are thrown to us. However we will let them (the Ngatiowaru) see that this land is our own and not theirs, and that the money they received the other day shall not be considered by us as any part of the payment for Arapuaw. The money for this land shall be paid into our own hands, as it was into the hands of our friend Tamati Ngatowaru the other day at Nelson. "It is true we signed the deed to which you refer, but we are not compelled to adhere to it, since Mr. McLean and the Ngatiowaru have violated its conditions." The speaker then turned to the company and asked, "Do approve of these words spoken by me?" when every voice responded loudly and heartily, "Yes, yes; it's quite correct."

After this I left them for a time, and towards evening they resumed the conversation, and said they would not accept of a reserve from the Government at present, until things were placed on a better footing. They were quite willing to sell the greater part of the land, but would reserve under a certain portion for their own use. They then pointed out what they would sell, and told me what they wanted for it. I wrote all their names and hopes, and collected other information, and thus ended the koreno.

Thursday, 4th.—Returned to Ship Cove. Visited Anahua, the residence of Mr. Eminus. Had a koreno with Tamati Ngatowaru respecting the reserve we were about setting off for him, and agreed that it should be in Gore Harbour.

Friday, 5th.—Sent the boat round Gore Harbour. Myself and Mr. Brummer, accompanied by most of the Natives, crossed the hill, where the boat met us, and we crossed the harbour to Te Makau Whanui, a small bay occupied by a white man named Smith. Slept there, and on Saturday laid off the reserve for the Ngatiowaru and Ngatiowaru people. Spent Sunday there, and on Monday proceeded to the mouth of the Pelorus.

Tuesday, 6th.—Started at 5 a.m., had a light breeze, and went through the French Pass at 10 a.m. Finding the wind fair we determined to proceed direct to Nelson, and after nine more we entered Nelson Harbour at 4 p.m.

The Natives are all anxious to meet Mr. McLean at Nelson, but wish to get in their harvest first. At the end of February they will be ready to come. I told them we would send a messenger over the hills when Mr. McLean arrived, and they were to start immediately for Nelson.
### Native Residing in the Several Districts

<table>
<thead>
<tr>
<th>District</th>
<th>Norsemen and Bengalese</th>
<th>Adults</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngatiokia Tribe</td>
<td></td>
<td>71</td>
<td>22</td>
</tr>
<tr>
<td>Ngatiokia</td>
<td></td>
<td>60</td>
<td>17</td>
</tr>
<tr>
<td>Ngatiokia</td>
<td></td>
<td>18</td>
<td>1</td>
</tr>
<tr>
<td>Hangitane</td>
<td></td>
<td>12</td>
<td>5</td>
</tr>
<tr>
<td>Hangitane</td>
<td></td>
<td>44</td>
<td>5</td>
</tr>
<tr>
<td>Ngatiharua (not ascertained)</td>
<td></td>
<td>75</td>
<td>13</td>
</tr>
<tr>
<td>Ngutine (not ascertained)</td>
<td></td>
<td>66</td>
<td>5</td>
</tr>
<tr>
<td>Pakatun</td>
<td></td>
<td>78</td>
<td>15</td>
</tr>
<tr>
<td>Other hapas</td>
<td></td>
<td>32</td>
<td>13</td>
</tr>
<tr>
<td>Ngatiheku</td>
<td></td>
<td>9</td>
<td>3</td>
</tr>
<tr>
<td>Ngatiheku</td>
<td></td>
<td>273</td>
<td>100</td>
</tr>
</tbody>
</table>

*The Ngatiheku at Wanganui would not allow their names to be taken until the return of Te Kama.

**William Jennings,**

Interpreter.

---

**No. 5.**

Mr. Commissioner McLean to the Hon. the Colonial Secretary.

Sir,—

I have the satisfaction to report to you, for the information of His Excellency the Governor, that the negotiations entered into—previous to Sir George Grey's departure in 1858—with the Ngatiokia Tribe, for the cession of their unascertained claims over the Nelson and Canterbury Provinces, have at length been brought to a favourable termination.

2. In order that His Excellency may be enabled more easily to form a general view of the whole of the transaction, I may advert briefly to some of the earlier circumstances connected with the purchase.

3. After repeated meetings and discussions with the Ngatiokia and Ngatiharua Tribes, who at first intended only to cede a portion of their less valuable land on the West Coast, a deed of sale was executed by them at Wellington, on the 10th of August, 1858, by which they agreed, subject to certain reservations, to relinquish in favour of the Crown, for a sum of £2,000, the whole of their claims upon the Middle Island.

4. These reservations consisted of the cultivations and lands required for the subsistence of the Native resident in the district; it being always distinctly understood that Hangitane, or D'Urville Island, was excepted from the sale.

5. A first portion of the purchase money, amounting to £2,000, was paid at the time of the execution of the deed; the balance of £3,000 remained to be discharged in six annual instalments of £500 each.

6. In addition to the cash consideration payable to the Natives, which, from the smallness of the sum, they shewed some reluctance to accept, it was further agreed by Sir George Grey that fifteen of the principal chiefs should have scrips awarded to them, representing £50 each, which should be available in the purchase of Crown lands in any part of New Zealand.

7. Twenty-six of the Native claimsants were also to have 200 acres each out of the land thus ceded by them, in such places as the Governor might set apart for this purpose, and at such times as the land might be required for their use.

8. The Natives have not, as yet, evinced any desire to select this land, which they regard more as a provision for their future wants than as needed for immediate occupation. They have, however, applied some of the scrips before alluded to in the purchase of land in the Wellington and Nelson Provinces.

9. The above statement embraces the whole of the more important arrangements concluded with the Natives previous to Sir George Grey's departure; it being then fully contemplated, both by His Excellency and by myself, that the further details of this purchase would have been brought to a much earlier termination; but circumstances which could neither be foreseen nor obviated have hitherto interfered to prevent this.
10. The conflicting claims of different tribes, residing on both shores of Cook Strait, to the unoccupied lands in the Nelson Province, occasioned considerable difficulty. For instance, the Ngiatini Tribe of Porirua (with whom the first treaty was concluded) had unquestionably, as the earliest invaders, a prior right to the disposal of the district. The Treaty had in consequence acknowledged; although after the conclusion of their leading chiefs, partitioned out to the subordinate branches of their own tribe, as well as to the Ngatiawa, a few of whom took part with them in the conquest, the lands which they now occupy in the Nelson Province.

11. On the other hand, the Ngatiawa did not assume to themselves a power of sale except over the lands they actually occupied; yet some of them, when met by the leading Ngatiawa chiefs, professed to have independent and exclusive rights, while the majority, and even the parties making such assertions, when closely examined, always acknowledged that the general right of alienation vested in the Ngatiawa chief of the Northern Island. In fact, their relative rights, through intermarriage, the declining influence of the chiefs, and other causes, had become so enfeebled, that, without the concurrence both of three occupants and of the remnants of the conquered Mangaian and Ngatiawa Tribes, no valid title could have been secured.

12. To arrange, therefore, with the various claimants, as opportunity might offer, was the next duty to be attended to. Accordingly, a section of the Ngatiawa, who had taken part in the invasion, but had returned to their possession at Waitakere, Tasman, and other places in the North Island (intending to migrate from one Island to the other as their inclinations led them), were paid a sum of £200 for the extinction of their title, on the dates and in the proportions specified as under:

- March 2, 1854, for Waitakere and Arapawa, £200.
- March 10, 1854, title of Tasman Natives, £200.
- November 24, 1854, for Re Aravit, £200.

13. In November of the year 1854, Mr. Brunner, the Government Surveyor, and Mr. Jenkins, the Interpreter at Nelson, were dispatched to mark off the boundaries of such reserves as would be required for the resident Natives. These officers did all that was then practicable to perform their duties, but owing to the jealousy on the part of some of the Natives to the Ngatiawa side, they were unable (except in a few instances) to affect any permanent adjustment of the reserves and boundaries. The reports of these officers are herewith enclosed.

14. In December of the same year a large concourse of Natives from different parts of the Nelson Province were assembled, on one of their periodic visits, at Porirua, to hold a synod or lamentation over some of their relations recently deceased. At this meeting there were present so many influential representatives of the various tribes, that it afforded a favourable opportunity for discussing the merits of their respective claims.

15. These meetings resulted in an unanimous desire, on the part of the assembled tribes, to have the second instalment (then due) paid to them at Porirua instead of at Nelson, as originally intended; and in order that the whole of them might participate in it (which they could not do if one instalment only of £500 were paid), they requested that four years' instalments should be handed over to them at once, urging as a reason that some of their chiefs had recently died of the measles epidemic, while two of them who had taken a prominent part in the conquest, though still alive, were in a precarious state of health, and that it was their unanimous desire that this payment should take place in their presence.

16. To this deviation from the original terms I had some difficulty in assenting, however politic it might otherwise have been, in consequence of the understanding that the second payment should be made at Nelson; but the Natives from the Nelson Province themselves the most urgent in requesting me to forego this intention. My reasons for acceding finally to their desire have been fully reported in my letter to you of the 16th December, 1854, and in one of the same date addressed to Major Richmond, copies of which are here enclosed.

17. It is to be supposed that the whole of the chief who participated in this payment, and who have since died, expressly charged their surviving relatives to use their utmost influence in assisting the Government to settle this question, and this duty, as a parting request of these chiefs, they have most assiduously and faithfully performed.

18. The instalments now paid, together with £100 to one of the Ngatiawa chiefs at Gore Harbour, completed the sum of £5,000 stipulated for in the original Ngatiawa deed of sale. As there remained, however, unpaid claims of various resident tribes, I applied for and obtained a further advance of £2,000 to complete the purchase.

19. Owing to repeated and most unexpected interruptions arising from my being obliged to go to Waitangiri and Hawke's Bay, through the Bay of Islands, to Auckland, and twice (owing to disturbances there) to Tasman.—disappointed, moreover, in not being able to get the Natives of the North Island, from illness, attention to their crops, or other causes, to accompany me,—I was unable to pay that attention to the claims of the resident in the Nelson Province, which it was my earnest desire to have done, with a view to a speedier settlement of a most important question which had been long pending, and which the Natives, though their patience must have been greatly exhausted by these delays, remained willing to submit to any other officer except the one who commenced the negotiations.

20. On the 30th October, 1855, I was instructed by His Excellency Colonel Gore Browne to accompany him from Tasman to Nelson, where an opportunity was afforded, from the number of Natives assembled there, to effect an arrangement with the Ngatiawa and Ngatiheke for their claims, for a sum of £800, the receipt of which is acknowledged in the deed executed by them on the 10th and 12th of November, 1855.

21. This deed provides that the land exhibited on the plan thereto attached shall be reserved for the Natives; it is, together with what they elsewhere possess, of sufficient extent for their present and future requirements, and if they have a considerable increase of cattle and horses, it is situated within natural boundaries, requiring no outlay for surveys, and lies on a coast of the West Coast so not remote from European settlers, but which the Natives are particularly anxious to retain. A Government
right of road, should it in future be required, is provided for by a clause to that effect inserted in the deed.

22. In proceeding by the "Zinger" from Nelson to Wellington with His Excellency the Governor, on the 24th November, 1850, a survey party and interpreter were taken on board, and landed on the way, in Queen Charlotte Sound, with instructions to lay off the necessary reserves in that part of the Nelson Province. This duty they were enabled to perform without much opposition on the part of the Maoris, and by the 15th January in this year the reserves were marked off.

23. On the 26th of that month I crossed the Straits from Wellington to Cloudy Bay in a small vessel, taking along with me the Ngatiawa chiefs Harini Puka, Hokenga Tamihanga, and others, and was followed by Matama Te Whinai and Tamihana Te Hapuhia in the course of a few days.

24. The left bank of the Wairau River being the southern boundary of the purchase, I held a meeting with the Natives of that place, in August last. They fully assented to the sale, having participated, except a small party of the Bangiatives in the first and second payments made at Ferries.

25. To the Bangiatives, £100 was now paid in full satisfaction of all their claims.

26. The reserves laid off at the Wairau consist of 770 acres on the left bank of that river; a small bay, named White's Bay, and about 200 acres adjacent thereto; and two sections, of fifty acres each, to the chief Wairuwa Nera Te Kanae and Te Tama Pukehekehu. The latter section has been marked out, but, for the former, in consequence of the absence of Te Kanae, though its general position was defined, had not been surveyed. For these two sections I beg to recommend that individual Crown Grants should be issued to the above-named chiefs.

27. From the Wairau I sailed for Tory Channel and Queen Charlotte Sound, a portion of the country inhabited chiefly by the Ngatiawa. The people had assembled at Waitaawa to meet me; when, after several debates, which lasted for some days, I was enabled to effect a final settlement of their claims for a sum of £500, the receipt of which is acknowledged in the deed signed by them on the 9th February, 1850.

28. The unsettled state of the Ngatiawa Tribe, and the disposition manifested by them to return to their former possessions at Taramak (when their presence could only increase the troubles that already beset the land question in that Province), rendered the present negotiation with them one of no small delicacy and difficulty, which might, if in any way mismanaged, affect the general tranquillity of the country. I was induced, therefore, to assent to reserves of considerable extent being assigned to them in the various bays they were then inhabiting, with which they appeared to be fully satisfied. A plan exhibiting these reserves is herewith furnished for His Excellency's information.

29. To this part of the country, from its past associations, the Natives attach great importance, as the scene of many hard-fought battles and of final conquest; the great resort, moreover, in former years, of whale ships from different parts of the world, with whom they carried on a lucrative trade. They could also, at all seasons of the year, resort to its well-sheltered bays and harbours for supplies of fish.

30. As an expression of the national interest felt by them for the place, one of the principal chiefs, Rapaura Te One, the last of several who had spoken, in a most emphatic manner, in which he alluded to these various circumstances, struck into the ground at my feet a greenstone adze, saying, in their usual style of metaphor, "Now that we have for ever launched this land into the sea, we hereby make over to you as a lasting evidence of its surrender, this adze, named Paima, which we have always highly prized from having required it in battle after it was used by our enemies to kill two of our most celebrated chiefs, Te Fehi and Poukata. Money vanishes and disappears, but this greenstone will continue durable a witness of our act as the land itself, which we have now, under the shining sun of that day, transferred to you for ever. I wish to show by this act that it may, if necessary, be referred to hereafter as an evidence of the importance attached by the tribe to the treaty now concluded, and a striking circumstance likely to be long remembered by them.

31. From Queen Charlotte Sound I crossed by the Amalaka Pass to the Kaituna and Pelorus Valleys. At the Kaituna, the extent of reserve which I deemed necessary for the Ngatiawa Tribe residing there was 300 acres. Out of this extent I have to recommend that an individual Crown Grant be issued to the chief Horoa Ropa. The portion of the reserve has been pointed out in the presence of the Natives interested, but I had not time to have it surveyed.

32. In addition to this reserve, a landing-place for canoes, at a place called Pareka, was requested by Ropa; its extent, as pointed out to me, will not exceed 10 acres. A very long pa, occupied by this tribe at a place called Motukau, is likely to be the only site available in that locality for a township. If it should really be required for this purpose, the Natives agree to relinquish it; if not, then I would earnestly recommend that it be reserved for them. Should a town be laid out there, I would submit that Rupa and Manihou ought to receive, by way of compensation, four of the town sections of fair average value. I trust that His Excellency will be pleased to sanction this proposal.

33. From Kaituna the next visit was paid to the Holere, or Pelorus River, to fix the reserves and cultivations for the Natives residing there. When those had been decided on, as shown in the plan herewith furnished, the Ngatiawa, formerly the owners of the beautiful and fertile valleys of the Kowai and Kaituna, now reduced in number to about fifty souls, were paid £200. In extinction of their title, with which sum they appeared well satisfied, it being the first time since the conquest that their claims had been thus recognised.

34. I next proceeded to the Croisilles Harbour, but I found that the chief of that place had proceeded to Nelson, where I afterwards decided the reserves to be allotted to himself and his people, the Ngatiawas, and paid them a sum of £100 for all their claims.

35. Before going to Nelson I sailed at Waipukuru, where a section of the Ngatiawa live. Those decided to give up any portion of the land held by them at that place, as they considered it was not sufficient for their own subsistence. They object also to its being sold, without their consent, by their own chief. In the meantime I have checked any such proceeding, and as the land they hold is of much greater extent than they would really require as a revenue, I did not deem it prudent at present to urge a settlement of this particular question upon them.
The only tribe having claims upon this purchase, whom it was impossible for me to visit, are a small remnant of the Ngitiaks, about twenty-five in number, residing at Aruhura, on the West Coast, a remote and as yet almost inaccessible part of the country. From a settlement of their claim I do not apprehend any difficulty; but, as a matter of justice, if the district is occupied by Europeans, a reserve of 300 or 400 acres should be secured to them, together with a small amount of compensation for their claims.

In conducting this purchase through its several stages, involving the interests of so many different and differently disposed tribes, and altogether the most complicated, as it was also the last, in the Middle Island, I found the limited time at my disposal so fully occupied with the necessary letters or debates attending it, that I was unable to see some of the surveys completed to my satisfaction. I would gladly have done this myself, in order to prevent any possible questions being raised hereafter about the boundaries. These details, however, can be easily arranged by the Government Surveyor, under the direction of Major Richmond, in whose hands the matter is now in charge. I shall communicate additional information respecting these surveys.

Meanwhile, even these unfinished details are so fully understood by the Native, that I am not aware that there can be any objection to the land being now handed over to the Crown Commissioners preparatory to its being disposed of in the usual manner.

In a separate communication I shall hereafter detail the steps taken by Major Richmond and myself to adjust some disputed rights to land comprised within the limits of Mr. Commissioner Spain's award.

I have the honor to be,

Donald McLean,
Chief Commissioner.

The Hon. the Colonial Secretary.

Enclosures in No. 5.

Mr. Commissioner McLean to the Hon. the Colonial Secretary.

Sir,—
Land Commissioner's Office, Wellington, 15th December, 1867.

In reference to the arrangement concluded with the Ngitiaks Natives previous to the departure of His Excellency Sir G. Grey, in August, 1859, by which they undertook to dispose of their claims by right of conquest, and to settle those of other tribes living on the spot, to the whole of the districts in the northern and western portions of the Middle Island, in consideration of the sum of £25,000, of which £22,000 was paid at the time, and the balance of £2,000 was to be paid in six annual instalments of £500 each, and on which arrangement I reported fully to the Civil Secretary at the time:

I have now the honor to report, for the information of His Excellency the Office Administering the Government, that the principal heads of the Ngitiaks Tribe residing on the southern shore of Otao Strait having crossed over to this side, and thereon, the chief of the aboriginal tribes in the Middle Island, together with several chiefs of other tribes inhabiting the Nelson Province, being in Wellington, I took advantage of the opportunity afforded by the presence of so many of the parties interested to call a meeting at Porirua (the principal residence of the Ngitiaks in this neighbourhood), for the purpose of discussing the whole question.

The chiefs were exceedingly anxious that a final settlement of all their claims in the Middle Island should take place at once; among the principal reasons, that so many of their leading chiefs had died since the conclusion of the first arrangement, and those who survived had become so weak from recent illness that their existence for any length of time could not be depended upon; and further, that a sum so small as £500 being divided once a year among such a number of claimants afforded so trifling an amount to each that there was very probability of the Natives becoming dissatisfied with their bargain before its conclusion, when difficulties hitherto unforeseen might be thrown in the way of the settlement of the district.

Taking these matters into consideration, as well as the fact that so good an opportunity of discussing the question in the presence of the principal chiefs of so many different tribes (including those of the conquerors as well as those of the remnant of the conquered and original possessors of the soil), might not again occur, considering the great influence possessed by Te Rangihera and the other Ngitiaks chiefs, not only over their own followers, but extending to the other tribes inhabiting the Middle Island,—looking to the great advantage to be derived from the immediate acquisition of this district, and having received the assurances of the chiefs that they would accompany me as soon as my duties in this Province would permit of my crossing to the Middle Island, for the purpose of using their influence in settling with the Natives of their own and other tribes resident there, and that, as soon as proper and sufficient reserves were marked out for their use, they would give up peaceable possession of the country,—I deemed it advisable to accede to their wishes, and accordingly paid them, on the 15th instant, the sum of £2,000, taking a receipt from them for the amount, a translation of which, as well as the original deed of August, 1859, I do myself the honor to enclose herewith.

This sum and that paid last year amount together to £4,000, leaving £1,000 of the sum originally agreed upon. Of this £1,000, however, I have already paid £700 to the Ngatiama Tribe in Taranaki for their claims, so that £300 only remain unappropriated. This sum, I feel it my duty to report, will not be sufficient to extinguish the remaining claims of the Natives resident upon the territory now ceded, which is the most populous portion of the Middle Island, and the area of which may be estimated at about 8,000,000 of acres. As soon, however, as I shall have had an opportunity of visiting the spot and discussing the question with the resident Natives, I will lose no time in making, for His Excellency's consideration, a report of the amount for which this extensive and valuable district can
be finally purchased. The cost, under any circumstances, is not likely to amount to the rate of one farthing per acre.

I have been engaged during the greater part of the present and past weeks in discussing fully the claims of the different tribes, and other questions affecting this transaction, and I have much pleasure in stating that the division of the £2,000 was effected with the most perfect fairness, and gave general satisfaction to the parties concerned: a sum of £200 being paid to Te Rangihaeata as the principal conqueror of the country and leading chief of the tribe, the remainder of the money being paid to the other chiefs in amounts corresponding to their interest, and the number of their followers.

His Excellency will be glad to learn that the aged chief Te Rangihaeata, who has always been a determined opponent to the sale of any land, took a prominent part in the discussion, exerting all his influence in inducing his followers to bring the negotiation to a satisfactory conclusion, and in restraining the exorbitant demands of some of the chiefs. He came forward without hesitation, and sided his name to the deed of sale, being the first time within my knowledge that Te Rangihaeata has voluntarily done so.

I venture to hope that the course which I have adopted on this occasion may meet with His Excellency's approval, as it has finally settled all questions between the Government and the Maori. The sale of the Maori's property was undertaken as an extensive and valuable tract of land, rich in coal, copper, and other minerals, and will, through their influence, materially facilitate the negotiations with the other tribes possessing claims there.

I have the honor to enclose, for His Excellency's information, the copy of a letter which I have addressed to the Commissioner of Crown Lands at Nelson in reference to this subject.

I have, &c.,

DONALD McLEAN,
Land Commissioner.

The Hon. the Colonial Secretary, Auckland.

Mr. Commissioner McLean to the COMMISSIONER OF CROWN LANES.

Sirs,—

Land Commissioner's Office, Wellington, 15th December, 1854.

I have the honor to inform you that I have taken advantage of the arrival here and at Porirua of the principal chiefs from the Middle Island, including Wikanui Te Kanae and his followers from Wairau, Taiao the principal aboriginal chief of the Island, Pukekoahu, and several others, to effect a final arrangement with them, as well as with all the chiefs on this Island, for their several claims to the Middle Island, for which the first instalment was paid before Sir George Grey left here in August, 1839.

I should have preferred carrying out this arrangement (as previously intended) at Nelson, after the survey of the Native Reserves were further progressed; but, after due reflection, I found that it would be impossible for me to get such a collection of influential chiefs together at Nelson as have assembled here. Taking also into consideration the urgent necessity for hastening an adjustment of the question, so as to throw the land open for colonization, I have, on the assurances of the chiefs that they will, as soon as their reserves are marked off, give peaceable possession of the whole of that portion of the Island, paid them a sum of £2,000, as acknowledged in a deed receipt, the translation of which is herewith furnished for your information.

I am aware that, although the chiefs from the Middle Island have fully entered into this arrangement, there will be some questions to settle with a few minor tribes residing at Wakanu, Queen Charlotte Sound, and other portions of the Island; but these, I feel satisfied, can be duly adjusted by the principal chiefs to this arrangement, who have undertaken to accompany me, when my duties here will admit of my going over to Nelson, to settle with their respective tribes and followers resident at the Middle Island.

Wikanui Te Kanae will facilitate the surveys of the necessary reserves for the Natives at the Hohe and Kaiapai Districts whenever Mr. Hemmor is prepared to proceed with the surveys in that neighborhood.

His Honor the Superintendent mentioned to me (when last at Nelson) that he was anxious to obtain a portion of a Native Reserve at the Wakanui in exchange for other land, as the place alluded to would be very desirable as a site for a ferry.

I have spoken to Kanae on this subject, who agrees to give up any portion of a reserve that may be requisite for the above purpose.

Pukekoahu, or Te Tahi, from Motueka, has received £200 as his share out of the £2,000 recently paid to the Natives. In addition to this sum, he is to receive, for himself and his tribe, a further sum of £400, which, with another sum of £100 for the people of Wakanui, he has agreed to accept; and, in the meantime, he intends to deposit with you, until he and his tribe are finally settled with, the sum of £200, which has been paid to him out of this instalment.

I find that it would be impossible to effect a final and amicable adjustment of the land comprised within this purchase, which may be estimated at eight millions of acres, for the sum originally stipulated in the deed of sale, more especially as so many more Natives from different tribes (including those tribes who claim by right of conquest as well as the remainder of those who originally owned the country,) are resident in that portion of the Middle Island than in any other part of it; and, as no arrangement with them could be binding without the full concurrence and sanction of the principal conquering chiefs resident on this Island, I think you will agree with me that the best course was finally to dispose of the latter claims, when such a favourable opportunity for doing so, in connection with the chiefs of the Middle Island, presented itself.

I have, &c.,

DONALD McLEAN,
Land Commissioner.

The Commissioners of Crown Lands, Nelson.
Mr. W. Greemont to Messrs. Richmond and McLean.

Gentlemen,—

Colonial Secretary's Office, Auckland, 3rd October, 1866.

With reference to your letter of the 25th June last, reporting that you had found it necessary, in settling the Nelson Land Question, to pay an unforeseen sum of £220 to the Natives concerned:

I am desired by His Excellency's Government to convey to you, under the circumstances stated by you, the necessary authority for that expenditure.

I have, &c.

W. Greemont,

Under Secretary.

No. 6.

MEMORANDUM OF INSTRUCTIONS by Mr. Commissioner McLean of Reserves to be set apart for the Natives in the several Districts enumerated herein.

In reference to reserves to be laid off for the Natives in the Nelson Province—

Massacre Bay District.

According to an agreement made with McLean for relinquishing his claims and not receiving any share of the payment awarded by Mr. Commissioner Smith for the Motupipi, Aore, and Takaka Districts, he was to have 50 acres of section No. 22, at Motupipi, which was to be marked out for him by the Government Surveyor and a Crown Grant issued to him for it.

For Raminui te Faa, 50 acres.
For Parehoa Ngauerangi, 20 acres.
For Henaro te Haera, 20 acres.
For Piriwha te Aupori, 20 acres.
For Hamona Pito, 20 acres.

These out of the same section, No. 22. The above five Natives were also to have individual Crown Grants. Thomas Brunner, a right-handed chief, should have his reserve extended so as to include the adjoining section instead of that which he at present occupies.

A portion of the Ngahawa residing in Massacre Bay, and who intended to leave for Taranaki if not provided with land, sought a section in the Massacre Bay District, the position of which was pointed out to Mr. Brunner; and as it is essential that land should be provided for them, to prevent their return to Taranaki, Mr. Brunner should lay off the section they have applied for, as it is not selected above.
Separation Poiis District.

In the Separation Point District, 100 acres are to be given to the old chief Te Aupouri, unless a Crown Grant. For Ruwhai of Motuakia, 50 acres at Separation Point; Hake Te Mori is also to have a reserve of 50 acres at Waiharakeko in the same district.

Pua Miti Karu and Mari Ngako are to have 50 acres at Awarua.

W. Parepa wishes to have a reserve held out for him at Marahau beyond Motuakia. It seems that Mr. Tinkan has already marked one off. There are ten men, besides women and children, at this place. These Natives should therefore have 100 acres reserved for them, with a right to purchase more land if they require it, at 10s. per acre; to exchange reserve section No. 111 for section No. 120.

Cranwell Harbour.

The reserve for the Ngatiheke of the Croxdales Harbour are specified in the deed of sale executed by them at Nelson on the 6th of March, 1856, and the position of each reserve described by the Natives to Mr. Brunner on the plan attached to the deed.

Polovas and Queen Charlotte Sound Districts.

Hura Kopaka, of the Ngatiheke Tribe, is to have 300 acres at Kaituna on the left bank of the river, which includes a portion of his cultivations, and thence extends inland from the said cultivations until it makes up that extent. Out of this reserve 50 acres are to be set apart for Hura himself, for which he should obtain a Crown Grant. The cultivations on the right bank are to be used by Hura and his people, until required for European settlement. A landing place also, of about 10 acres, is reserved at Kuraua.

In the event of a township being formed at Motuakia, the Natives agree to give up the pa for that purpose, and Hura and Manihera should have four of the town sections of fair average value. If a town is not required, then they should have the pa as a reserve for their occupation. About 60 acres at Oroapuputa, a small Native village; the boundaries have been pointed out to Mr. Lewis and Mr. Jenkins by the presence of the Natives.

Individual Crown Grants for three small places at Queen Charlotte Sound were promised by Mr. Jenkins to some Natives there; the position of which can be pointed out by him on the plan of Queen Charlotte Sound.

The reserves in the Polovas do not require much surveying, as they were pointed out to the Natives, and are generally within natural boundaries. They should however be examined again, to prevent future disputes. These reserves, as well as those of Queen Charlotte Sound, are exhibited on the plans of those districts.

Waikou District.

Thomas Carter, a Native of the Bay of Islands, who is married to Kanee's daughter, is anxious to purchase land at Robin Hood Bay. He is an intelligent Native, and speaks English.

White’s Bay or To Pulaka.

The fishing reserves for the Natives of the Waikou District is bounded to the North by To Akiroa on to the range above the bay, and descends to a red cliff called To Karaka where there is a small stream of water. The boundary is to run back so as to include some land behind this reserve until it reaches the Pulaka Stream, where they desire to fish salmon and plant potatoes.

To To Pulakaehuru and Wiriroa (Nere To Kanee) are to have 50 acres each at Waikou Pulakaehuru's land has been laid off by Mr. Budge, who was instructed also to lay off Kanee's.

If in the hurry of leaving Nelson and the confusion arising from the numbers of Natives who were collected there, and the fact of having no map of the sections in the several districts, any reserve has been omitted or the position of such reserves not clearly specified in this memorandum, I am satisfied that Major Richmond and Mr. Brunner know the position of all the reserves as pointed out and agreed upon by the Crown Commissioner and myself on the maps of the several districts. I do not therefore apprehend that Mr. Brunner, from his knowledge of the Natives, will have much difficulty in accurately marking and defining on the ground the several reserves that are required for the Natives of Nelson.

I believe that His Excellency has directed that extracts from my report on the Nelson purchase should be forwarded to Major Richmond for his information on the subject of reserves.

Donald McKay,
Chief Commissioner.

24th April, 1856.

List of Reserves given up or exchanged for other land, from Sandy Bay to Separation Point.

At Marahau, section 111 exchanged for 120.
At Anahine
At Anakiki
Takaro
Takaro
Metuipe
Aore

Reserve 121.
Y and X.
U.
B, S, Q, and P.
8 acres
Section 34.
No. 7.

Tongan Pukapuka tuitu, whena, e tuhitahi nei i tasi ra, ia te 10 o nga ra o Akustika, ho te tau o te tatu Ariki kouhi mano e wani rai e vima tekahi nei toru 1893. Ho pukapuka hino whakaake, na matoi nei nga Rangitira, me nga tangata o "Ngatiika" mo matoi, mo o matoi whananga o o matoi uri katoa, e whanau i mua iho ia, matoi kia tino tuak a rawaia o matoi whana me te "Waiouru". Koi whanaia puna kia a Wikitoria te Kuni o Ingangiri kia a nga Kingi, Kuni rawa o muri iho ia, a, eke toru atu.

A, mo te matoi whakatanga kia utusa, kia tino tuak a rawaia eke whana me whakaake ana a Wikitoria te Kuni o Ingangiri, kia utusa matoi, kia nga puna iho i vima manao tabaihi 25,000, o oka rino o nga puna iho kia iho te matoi hina te Te Makariri i homai. Na ko nga manao e toru o toru ake nei, o utusa kia i a matoi tahi kia nga tangata o Ngatiawa, o Ngatioka, o Ngatiuru, o "Bangianu," o "Ngatiku," o ura tahi nga i a whana, ko nga runanga o toru 25,000 o whaka te homai teki o a matoi tahi ko ana iwi te tahi runanga o toru 125,000 takihia ia roto o te tau kouhi, a, tohe nui ia te paunga to o te tahi nga tao, ko te Whakamana i homai, ia tau, ia tau, a tapaeka rua amo ano mano o toru 25,000.

Na ho te panga rawaia tenui o a matoi whana a matou ko tore mouere, ko o tahi nei ia a matoi te tuku, te tino whakaake, mo one Rakaio, mo nga Roto, mo nga Wea, mo nga Kainui, mo nga mua katoa, o rungo ranei o te whana, o raro ranei o te whana, o nga aha o nga ia iho o nga whana me a Wikitoria te Kuni o Ingangiri, a eke toru atu.

Na ko tahi wahi ko a matoi whananga o noho ana ki runanga i hoa whana me whakaake ana a Wikitoria te Kuni o Ingangiri kia whakatupu me matoi, roto o roto me nga whana ko ngi nei te tuku. Otra kei a te Kaimarama te Kaimarama, mo nga wahi whana, o whakatupu mo nga tangata Maori o roto o teni tuak a whana me a tahi whai ano kaki, ko o nga iho te whakatua me te Whanaia ko whana me a matou Rangitira o matoi.

A, mo te matoi whakatanga kia nga tikanga katoa o roto o teni pukapuka kia o tahi nei te pani mai ko a matoi te Makekai, akame, ko tuhi iho o matoi inga ko a matoi te tuku tapu, a, mo te whakatanga o te Kuni o Ingangiri kia nga tikanga katoa o roto o teni pukapuka kia tuhi iho ko te jogos o Te Makariri te kaui Whanaia me matoi.
The paper or deed, written on this day, on the tenth of the days of August, in the year of our Lord one thousand eight hundred and fifty-three, is a paper of the full and true consent of us the chiefs and people of Ngatia, on behalf of ourselves, our relatives and descendants, to entirely for and ever transfer our land at the Waipouamuca as a sure and certain land from us to Victoria, the Queen of England, or to the Kings or Queens who may succeed her for ever and ever.

And having agreed to sell and for ever give up those lands, Victoria, the Queen of England, agrees to pay us in money five thousand pounds (£5,000). Two thousand pounds (£2,000) of the said money has been paid into our hands this day by Donald McLean. The balance of three thousand pounds (£3,000) is to be paid to us, and to the Ngatia, the Ngatikai, the Ngatikia, the Ngatia, and Ngatia, who, conjointly with ourselves, claim the land; and we and the said tribe are to be paid in yearly instalments of five hundred pounds (£500) in each year for six years, until the said three thousand pounds (£3,000) are expended. These payments being made in December and January in each year.

Now this assuredly is the final transfer or sale of all our lands on the said Island, which we have hereby certainly and faithfully conveyed, with its trees, lakes, waters, stones, and all and everything either under or above the said land and all everything connected with the said land, to Victoria, the Queen of England, for ever and ever.

Now, certain places are agreed to be sold to the Queen of England to be reserved for our relations, residing on the said land, which has been sold by us, but the Governor of New Zealand reserves to himself the right of deciding on the extent and position of the lands to be so reserved, and certain other portions of land have also been agreed upon by the Governor of New Zealand to be granted to some of our chiefs.

And having consented to all the conditions contained in this paper or deed, which has been read aloud and explained to us by Donald McLean, we herewith sign our names and sacred marks; and the Queen of England having consented to all the conditions specified or contained in this paper, Donald McLean, the Land Commissioner for the Governor of New Zealand, herewith signs his name.

[Here follow the signatures.]

No. 8.

Ngaatia Deed of Sale

No. 512.

Deed of Sale.

2200.

Ngatia Tribe ceding claims to land in Queen Charlotte Sound and Waitia District.

Exhibited at New Plymouth, 23 March, 1854.

Donald McLean, Commissioner.

Witiwhi Kingi o Witi.

Enoka Kingi o Tahiwhitu.

Witiwhi Ropata Kauaha.

Manaka Te Muttu.

Hokomara Te Atutu.

Kai titiro ki tei homai tanga o tei nei tukanga ingoa—G. S. Cooper, Sub Land Commissioner, Taranaki.

H. Hinley, Sub-Inspectors of Police, Taranaki.

W. C. Currington, Surveyor, New Plymouth.

Te Ngatia, Waitia.

Te Taka Whenua.

Ko Te Tana.

[Translation.]
And for this the giving of our consent to sell a portion of this our land, Victoria, the Queen of England, agrees on her part to pay as the sum of two hundred pounds (£200) in money, which we have this day received at the hands of Mr. McLean, this being the full and final payment for the portion of the land we have this day given over to the Queen.

The boundary to the North commences on the coast at a point called Te Karaka; it then takes an inland direction as far as Puriri, from thence to Tokanani, from thence to Tingitan, from thence to Wairau. It stops there. Then the boundary commences on the coast at Te Karaka, from thence to Waikawa, from thence to Hamumu, from thence to Te Wero o Waitoki, from thence to Takuhra, from thence to Kaipapa, from thence to the Mimi o Kapi. From thence the southern boundary bears an inland direction until it reaches Teatua, Teatara, from thence to Okarame, from thence to Tuamarine, from thence to Pukakake, from thence to Wairau; here it finishes. The Wairau then becomes the boundary island.

Thus we have entirely given over and surrendered this land to Queen Victoria, the Queen of England, or to the Kings or Queens who may succeed her heretofore, under the shining sun of the present day.

And having consented to all the conditions contained in this paper, we hereunto affix our names and marks. And the Queen of England having consented to all the conditions contained in this paper, Mr. McLean, the Governor of New Zealand's Land Commissioner, hereunto signs his name.

[Here follow the signatures]

No. 9.

RECEIPT for £200 paid to Ngatawha Tribe.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngatawha Tribe, residing at Takaka, in payment for the wholeness of their claims to land in the Nelson Province.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dated 10th March, 1854.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Kua rino wai ki a matou na te Mahurinui i tereh ra ara i i tama (10) o o nga ra o Maioho to talo Ariki, 1854, e rino rao pana moa (£200) takihaki, he uka me o matou whenus katoa ki te Wai Poumanu, ara o matou whenus tama katoa o matoa ki Wairau hou Te Whanganui, Te Awaroa, Tongariro, Te Hoito, Kairua, Whakapaka, Whakatu, Waima, Motuara, Motukaha, haere Motu-pipi, ki Arowe, ki Pukauki, ki Te Whanganui, ki Pukauki, ki Te Awaroa hou toho ki Ararua, oto a ke tona nga te tama katoa katoa ki ranga ki e whakahaupito o matou katoa me nga Motuara katoa o rere, ki o te wai i a matou ko i tiho raro ara,matoa ra i wai ki a Whakapaka ki Kauki o Ingarski; ki te Kingi, ki Kauki iwhai o muri ki i a i a ako tama ara.

A kore hoki matoa nga iwi o noho nei i tenei motuore o Paketopa o Otawaro o Ngamotu, oto a ka nga iwi katoa o tenei tahi o hoki su o matou raro ki ranga o aua whai ki o tui su nei i a matou to i kiho tama ara, ako tama ara. Kore, ki o te wai i a matou whenus te poroporoaki, ako tama ara. No kona ki takia he o matoa whenus ingas o matoa tahi.

Hawiri o Waiata.
Raharua.
Taha.
Whakapaka.
Whakau Te Atua.
Aperahama o Whakapuka.
Te Whatare o Katiata.
Katene o Te Hua.
Te Mehana o Ngakato.
Hokia o Teo.
Paihiaapu.
Takou Te Rangikawhini.
Te Heke o Te Kuti.
Tawhiti o Ngakato.
Mokhi o Te Putu.
Here Pumipiti Tauti.
Here Mehana.
Pakora Hapungau.
Te Kuru.
Hapipana.
Kakapo Tikitangi.
Hapihana.

Nga kai e te kia i tenei homaitanga atu me enci tuhinga ingas—H. Haule, Sub-Inspector of Police, New Plymouth.
Alexander Campbell, Sotter, New Plymouth.

TRANSLATION.

We have received from Mr. McLean, on the tenth day of March, in the year of our Lord one thousand eight hundred and fifty-four, the sum of five hundred pounds (£500) sterling, as payment for the whole of the lands to which we lay claim in the Middel Island, or Wai Poumanu, that is to say—The lands which we occupied at Wairau, at Whanganui, at Te Awaroa, Tongariro, Te Hoito, Kauki, Whakapuka, Whakatu, Waima, Motuara, Motukaha, from thence to Motupipi, to Arowe, to Pukauki, to Whanganui, to Pukauki, to Awaroa, and from thence to Ararua. It is to be understood, and we now pledge ourselves, never again to raise any claim to the above-described lands, neither to the islands adjacent thereto, which we now entirely surrendered to Victoria, the Queen of

79
England, and to the Kings or Queens who may succeed her for ever. Further, we, the tribes who are now residing on the Northern Island, viz., the Pakatau, Otaran, and Ngamotu, that is to say, the whole of the tribes on this side of the Straits, pledge ourselves never to renew our claims to those the lands which we have sold and parted with for ever.

And we have this day taken leave of and bid farewell to this land, and, in token of having done so, we have hereunto affixed our names and marks.

[Here follow the signatures.]

No. 10.

Receipt for £100 paid to NgaTama Tribe.

No. 214.

Kua riwi mai ki a matau na Te Makarini i tenui ra te tahi te kau na ong 10 o nga rau o Nga wa o Nga ana, ia te kau o to taton Auki, 1856, nga pauna moni koi i a matou mo a matou whenua ki Ouame-

kua, ki Owahu, ki Totoranui, ki Watapu, ki Tahunaka, ki Kapaupa, ke te mutanga tona o nga wahia i matou. Kia o kauri te tahi te koi te whakatauto o nga wahia hei nohoanga mo matou, kia kane mua nga pakete kia akorua te whakatauto nga whenua koe mo matou.

No a rauru mai o atua moni ki a matau i tenui ra te tutikohia o matau ines ra mo a matou whakatauanga kia riwi pa tenui whenua ki a te Kuni o Ingarami o a matou.

[Translation.]

We have received from Mr. McLean this day, the 16th of November, in the year of our Lord 1856, the sum of one hundred pounds in money, in part payment for our lands at Ouamekana, at Onehou, at Totoranui, at Watapu, at Tahunaka, at Kapapapa, which is the last of our places.

When the surveys are completed, and the reserves for us are marked off, and when the Europeans shall have seen the land, the final settlement for all our claims is to take place.

And we have signed our names hereon on this day in acknowledgment of the receipt of the above sum of money, and in witness of our full consent to give up the land to the Queen of England forever.

[Here follow the signatures.]

No. 11.

Receipt for £200 paid to NgaTama Tribe.

Kua riwi mai ki a matau, i tenui ra, ia te rau te kau ma wha o nga rau o Nga wa o Nga ana, 1856, na Te Makarini i homai nga pauna moni o nga rau rau takatiki, £200. Hei utu tenui mo a matou whenua katoa hei te Awa, ara mo nga whanau katoa kia oti i a Rawiri Puta rau toto no nga rangatira o Ngatiwa te tipu tuku wha kua a te Kuni o Ingarami i tuhituhitahi ra toto ki a pukapuka tuku wha kua a te teku nga whenua o Akutu, 1856.

Hoei ko te utunga whakamutanga tenui ki a matau, mo a matou whenua katoa ki a pai wha wha katoa ko te taura moture kia oti te tino tipu tuku mata o matou, kia te tino rangi ki a Wikitoria te Kuni o Ingarami hei whanua tawhuru no nga pakete ariki toto.

[Translation.]

We have received on this day, on the twenty-fourth of the days of November, 1856, from Mr. McLean, the sum of two hundred pounds (£200) in money. This is in payment of all our lands to Te Awa—

that is, for all the lands which have been entirely given up by Rawiri Puta and the chiefs of Ngatiwa to the Queen of England, as described in the deed of sale dated the tenth day of August, 1853.

[Here follow the signatures.]
No. 12.

RECEIPT FOR £2,000 PAID TO NEGRAVO TAIKU.

Kua rico mai ki a matou i tenei ra i te tokun ma torn (19) o nga ra o Tihema i te tau o to tatau o riki kotahi manu e o wenu rau c rima to hau ma wha (1834) nga pauna moni e te rua mano takitahi (£2,000) ma to Makariki i houna ki a matua. Ko eke eke o nga utu i koreroki i to matou huiahuia me to matou whakaeatea ki Poneke i te tana (10) o nga ra o Aukarua i te torn 1855 hia tuku o matou whanau ake to Whakapakak, ki te Taiapu, ki Arahura, ki te Waiouamu, utira o matou wahi kahoro i hokoa e matou i te kua utu ki a matua taki ki te Makariki te whakarito ki to matou puakapaka whakaeatea ki Poneke, ki utu nga matou me waiwhai o wenu ana ki runga ki a o anake o nga pauna moni e o wenu rau e o lea i te tana, mea noata te panga o nga maoo o toru i matua i te maoo i mouri ma o to matou tangoheke tua, ki tuku nei o matou anae moni e o wenu ana ki a matua i te kua utu ki Whakareora i te tangohonga i roto i nga tau no te mea e mate hauhe ana o matou kaumataua e hakia ana hoki matua ki kia whakarito nga tau utu o to anake, ki tango tahi ki te wa e ora ana ratou.

Ko te wharenui ke oti: ki ana i mai i a matou i te tino whakarewarewa tau ato ki nga pakeha ma te katoa nga wahi hei nohonga mei a matou, o o nga tanaaki kia tiki takita, ki whakawhao pono matou nga rangatira nga tangoheke o te matou nga wharenui. Ko te taha i te wea o to anake i nga wharenui ke oti o tangoheke a o te matou nga wahi hei nohonga mei a matou, o o nga tanaaki kia tiki takita, ki whakawhao pono matou nga rangatira nga tangoheke o te matou nga wharenui. Ko te taha i te wea o to anake i nga wharenui ke oti o tangoheke a o te matou nga wahi hei nohonga mei a matou, o o nga tanaaki kia tiki takita, ki whakawhao pono matou nga rangatira nga tangoheke o te matou nga wharenui.

A te to matou tino whakaeatea ki nga tangohe katoa o roto o te tino puakapakak ka tukia iho e, o matou o matou nga tanaaki mei a matou i te Pounamu i te tana ki te tangoheke mai nga moni ki a matou.

Poneke x Hamata
Hamata x Oheora
Na-Tapa x Nihihihi
Kawrui x Ngawaha
Ehara x Eri
Moata Tua Bangatira x
Bariara x Kawahu
Maru Xaurapa
Pukakohatu x Te Tana
Wakarau Kauai
Te Uaki x
Ripirimi Marutua x
Karachra x Te Waha
Uika To Hamui x
Pirpi Keha x
Rahiaika x Takamati x Te Rangi
Matua x Te Wataha
Teo x
Kohia x Pokiata
Tamatu Takahaparu x
Wiroi To An
Te Harawira x Hanora
Feketo x Te Tapa
Wihakihwai x
Wihakihwai x
Noperi x Te Ngahi

Nga-tai titiro:
Robert E. Strang, Registrar of the Supreme Court at Wellington.

[Translation]

We have received this day, the thirteenth day of December, in the year of our Lord one thousand eight hundred and fifty-four, the sum of two thousand pounds (£2,000), received by us from Mr. McLean, being part of the sum as spoken of in our Assembly, and consent, in Port Nicholson, on the tenth day of August, one thousand eight hundred and fifty-three, to give up and make over our land at the Waiouamus to the Queen of England for ever. The terms as agreed to by us, and specified in the deed of sale, of our full and final giving up and making over all our land on that island—that is, all our claims to Wairau and Heaere, and Whakapakak, and Taiapu, and Arahura, and the Waiouamu, including all our lands which we have not sold in former times, as agreed to between us and Mr. McLean, in the deed of our full consent, as entered into at Port Nicholson, which deed specified that we and the tribes living on this land should receive the sum of five hundred pounds (£500).
each year until we had thus received the amount of three thousand pounds (£3,000), this sum being the amount remaining after we had received the first installment. We now ask for the sum of two thousand pounds (£2,000) to be given to us now, and that the yearly installment of five hundred pounds (£500) should be set aside, because our aged chiefs are dying, and we are wishful that they should partake together with us of the money given to us for land while they are yet alive.

The land we will fully give up and make over to the Europeans when the homesteads for us and our children are laid out; also, we, the chiefs and men whose names are hereunto add, do hereby faithfully agree to satisfy and prevent the demands of all Natives whatsoever who may hereafter claim the land which we have, in the possession of this assembly, and also at the meeting in Fort Nicholson, fully given up and made over to the Queen for ever; and in testimony of our fully consenting to all the terms specified in this deed, we hereunto affix our names and marks as Povurias on this the day on which we receive this money.

[Here follow the signatures.]

No. 13.

Deed of Sale by the NEGATAMA TRIBE.

No. 634.

Deed of Sale.

£350.

NEGATAMA and NEGATAMA, ceding all claim to land in the Middle Island.

Executed at Nelson on the 30th and 23rd November, 1855.

Nga rohe mai o te whuma ka timate mai i Wairau puta moa ki Arahara hare. Haere tonu tutaki atu ki nga holonga o Negatama.

Kotahi te wahi o roto o tenei holonga hou a kapera o matou mo matou ara ko te wahi i tuma atu o te Whangamata ki timate i Mangahangararau rare noa i te taha o te mana ki te Ihiwhukaro—hero mai ki uta ki te tahi tutukia o nga hiri e ahu whaka-tearaki ki te tuma. Ko nga ara rauru mai o te Kawauangangaroa i tuma a nga tabu o whakamae nga matou kia maha i rito i nga whunga ke ara aho ki no matou tabu ko nga pakeha. Ko te tume o te whuma koa tenei o piiri ko nga tupa tepahou. Ao to matou whakataanga ki nga tukanga kata o tenei pukapuka ki te riranga mai koki o enei mono o ono rau pauma (£2000) i tume i e whiti ka tua hia o matou o matou inga mo o matou teku tapu.

Nga kai titiro ko enei tutuki inga mo enei homaiaanga mono—

M. Richmond, Commissioner of Crown Lands.  
John Reynold, Resident Magistrate.  
W. Gibbs, Commissioner of Crown Lands.  
W. D. Shipley, A.D.C.  
Jno. Taikite, Nelson.  
Henry Handyside, Settler, Motukura.

No to 18 o nga roa Newama i tutuki o matou o matou inga, oe o matou whakataanga ki nga tukanga o tenei pukapuka.

Witnesses—

M. Richmond, Commissioner of Crown Lands.  
H. C. Daniel, Chief Clerk in Land Office.
PLAN ATTACHED TO
DEED OF SALE EXECUTED
AT NELSON,
10th & 13th November 1855.

John Pryder, President Magistrate
W. Gribnour, 2nd Judge
J. F. Finlay, Attorney
J. V. Law, Interpreter

[Handwritten names and signatures]

To the 13th day of November, it was agreed that the land be sold to the

[Handwritten names and signatures]

Witnesses

[Handwritten names and signatures]
Translation.

Tax paper or deed of sale, written on this day, the tenth of the Days of November, in the year of our Lord one thousand eight hundred and fifty-six, is a paper of the full and true consent of us, the chiefs and people whose names are affixed to this paper, for us and our relatives and descendants to sell and entirely sell for ever transfer all our lands in this Island, that is to say, all those lands that were not sold formerly to Victoria the Queen of England, or to the King or Queen who may succeed her for ever and ever, and having agreed to sell and for ever give up all those lands, Victoria the Queen of England agrees to pay us in money six hundred pounds (£600), which has been paid to and this day by Mr. McLean.

This is the last payment we are to receive for these lands for ever. The great boundaries of the land commence at Waipara, and thence to Aranui, continuing until it joins the land sold by the Ngatiahu.

One place is excluded from this new sale and reserved for our use; viz., the land beyond the Whanganui, commencing at Mangamangarau; thence to the sea side at the westward; thence inland to the first ridge of the hills which look eastward to the sea.

We agree that the Government shall have power to make roads through these reserves, for ourselves and for the European soldiers. A map of these lands is attached to this paper or deed. And we having consented to all the conditions contained in this deed, and to the receiving of this money, six hundred pounds (£600), on this day on which the sun is now shining, sign our names and sacred marks.

[Here follow the signatures.]

No. 14.

Receipt for £600 paid to Rangitane.

No. 589.
Receipt.
£600.

Date: 1st Feb., 1856.

Kia, kiro mai ki o mautua i koe ma i te wa tahi o Papatou i te poi o te tautau Arika, 1856; nga puna kore a tahu to te retiwai o 1000 he tahi uina mai ki o mautua ringaringa ea Te Maara i mua o mautua whana katoa ki te nei motu, ara no nga whenua o Rangitane o Waian, papa no ki Aranui, raro no ki uta ki te whakahia tawa o a mautua whanau o te retiwai o Rangitane he hoa i te aha; ki a mautua ki nga orua pa kaia e te whenua, hango nga wahi o whakahokia mai e te Kawanatanga he aha nga kainga kai mai mautu.

[Signature]

[Signature]

Noke kei tikio—

Wienau x Te Kanae.

Houopa x.

Puaakaua x.

Hamurawa x.

Rawanta x Kahitiki.

To Wiriwhata x.

Hone x Paremo Tamari.

Mohana Te Waire.

Hata Te Kefotawa.

Honora Hina.

W. Bridge, Surveyor, Waian.

Arthur Martin, Orator, Waian.

W. Jenkins, Native Interpreter.

James Macdonald.

Translation.

We have received on this day, on the first day of February, in the year of our Lord one thousand eight hundred and fifty-six, the sum of six hundred pounds (£600) paid into our hands by Mr. McLean for all our claims on the Island, that is for all the lands of the Rangitane from Waian to Aranui, running inland as far as the claims of the tribe of the Rangitane extend. This is the payment to us, the survivors of the original claimants of the land exclusively of the places set apart for us by the Government as residencies and cultivations.

[Here follow the signatures.]
No. 15.

DEED OF SALE BY THE NGATIWA TRIBE.

No. 580.

Deed of Sale.

£2000.

Ngatiwa Tribe.

Conveying all claims to land in the Middle Island to the Crown.

Executed 16th Feb., 1865.

Plan attached.

Te Maruini x Huririhewa.
Hoera Tembe.
Tereti Hape.
Ihia x Te Ahuroa.
Tiriti x Pakarei.
Amiria x Te Piiia.
Mobi Wakahawa x.
Patera x Tawanga.
Moera x.
Hakaia x Te Tikuri.
Hakaara x Te Ngongobua.
Te Tira x Ngawhara.
Nekea x Pakare.
Hori x Rakata Te Kibi.
Te Kana x.
Kehupa x Rapa.
Pora x Whakaruru.
Ropamui x Teone.

Haka Maruiri.
Wirakiri Ngawhena x.
Rohape Ngapski.
Tukato x Hone Wetera.
Tama Te Hawe.
Hone x Ngapski.
Aramaru x Koparei.
Tiria Hura.
W entire Te Pakua x.
Hiriona x Wetairuku.
Henni x Te Mara.
Rikari x Te Kaum.
Tama: Katiipi.
Ropata x Te Pena.
Wiramua Te Hea.
Hampa x Tupawai.
Wiri x Bangerincomo.
Hori Kewekone x.

And 160 others.

Nga hai titi o e nei Homanituana moen o e nei takihia inoa:
Henry Lewis, Government Surveyor.
William Jenkins, Interpreter.
John Guard.
Rawiri Kingi x Puka.
Matona Te Whitihi.
Tahihana Te Rarapara.
Wiramua Nera x Te Kauuru.
Te Tama x Pakukahita.
Tanga x.
Wirakiri x Te Wharahura.

[Translation.]

This is a certain deed of sale made by us, the chiefs and all the people of the Ngatiwa residing at Arapara, to entirely transfer all our lands on this Island to Victoria the Queen of England or to the King or Queen who may succeed her for ever and ever. And in consideration of our having faithfully sold and conveyed all these lands, the Queen of England, on her part, consents to pay us for all those our lands a sum of five hundred pounds (£2000), which money has been paid into our hands this day by Mr. McLane. That is, more particularly for the lands held and claimed by us, the Ngatiwa, the description of which is shown on the map attached to this deed—Waiare being the northern boundary, to Ngahakine the seaward; thence to Taumua & Kupa; thence to the Waituwe, the boundary to the south-west of Taumua & Kupa goes to the Ure, and thence it also goes inland to the said Waituwe; the reserves for us are marked red on the map of the land hereunto attached, which reserves were pointed out by us to Mr. Jenkins the Interpreter, and the Surveyor along with him. We are quite contented with the said reserves; and having assuredly disposed of all these lands under the shining sun of this day, the ninth day of February, in the year of our Lord one thousand eight hundred and fifty-six, and having also received the aforesaid sum of five hundred pounds, we hereunto sign our names and marks.

[Here the follow the signatures.]
PLAN ATTACHED TO DEED OF SALE
BY NGATIWA TRIBE OF CLAIMS IN
QUEEN CHARLOTTE'S SOUND
9TH FEBRUARY 1818
List of Ngatiawa Hapes, taken on the 11th day of February, 1855, for the division of payment to each Hape or Family of their share of payment.

<table>
<thead>
<tr>
<th>Name of Principal Man</th>
<th>Name of Hape</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whitiaka</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hopoama</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Harawini</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Te Matene</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hohepa</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Tamati Te Hawe</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Tamati Rapihina</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Rika</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Timoti</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Kenare</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Haein Te haata</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Wiremu Onaiaka</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Kereopa</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Marani</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Te Wakaunga</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Horoa</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Te Tutu</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Wi Tupiana</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakaara</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hiaa</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Horia</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Aporakame</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Kaha</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Te Tutu</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hikakia</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Te Raki</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hikakia</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hirita</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Harea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Harea Ramanu</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Karakia</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hare Pumera</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hekia</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hamara</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hahana</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Haha Perana</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakaar</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hora</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hare Wiremu</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hahane</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hahana</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hapiti</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Haurua</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hako</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
<tr>
<td>Hakea</td>
<td>Ngatiawa</td>
<td></td>
</tr>
</tbody>
</table>

**No. 18.**

**Speed of Sale by the Ngatiawa Tribe.**

- Ko matou ko nga tangata o Ngatiawa o Hangate o mau nei nga ingoa ki tenei pukapuka e tino whakae poste ana i tenei: te kohai te kau o (10) o nga ra o Pueare, i te tau o te iho o Ariki 1856, ki kokoma ko tino tokua rawana o matau whana katoa ko tenei mete re, ara me nga wahi katoa ki Kaituna o te Hitorere, ki ko wahi hoki o matou ki a Whataua, to Kaimi o Ingapiri, ko nga Kingi Kaini te no one o muri iho o a ia ako takaro ki ngatu puaone ma nga paunu nga kotahi raen (250) ko ana manu kua rito mai ko o matau zingainga i tenei ra na To Makaringa te kai whakarite whenua i homai, ko nga wahi hei hoaonoa, hei ngakanga hei nga matou kua oto na te whakatukutuku.

- A ma te strongo matou e o hao moni ki a matou i tenei ra ko takua iho o matou o matau ingoa ma o mateh hona tapu i tenei ra e whiti nei a ako tenei a.
Nga hai tisiro—
Henry Lewis, Government Surveyor.
Tawhehe Te Rauparaha.
Albert D. Austin.
Elwin B. Dickson, Clerk, Land Purchase Office.
W. Jenkies, Interpreter.

[Translation.]
We, the people of Ngati Kina and Rangitane, whose names are attached to this paper, do fully and faithfully agree on this day, on the sixteenth of the days of February, in the year of our Lord one thousand eight hundred and fifty-six, to sell and for ever finally transfer all our lands in this Island, with all the places at the Kaikura, and the House, and all other places to which we have any right, to Victoria, the Queen of England, or to the Kings or Queens who may succeed her for ever and ever, in consideration of the payment to us of one hundred pounds (£100), which money has been paid into our hands this day by Mr. McLean, the Land Commissioner. The reserves and cultivations for our own use having been defined and set apart for us.

We therefore, in testimony of the aforesaid payment, made to us this day, hereunto sign our names, and attach our sacred marks, under this shining sun, as binding upon us for ever.

[More follow the signatures.]
PLAN ATTACHED TO DEED OF SALE
Executed by
NGATIKUIA TRIBE
16th February 1826

[Map with annotations and signatures]
The Queen's Commissioners for the Tonga Islands, the Anau Islands, and the Friendly Islands, in a letter to the Governor of New South Wales, dated 1st February, 1878, have instructed the Governor to proceed to the Tonga Islands, and to give such directions as may be necessary to enable the Tonga Islanders to carry out the provisions of the Treaty of 1875.

[Translation]

A paper or deed of sale, written this day, the fifth of the days of March, in the year of our Lord one thousand eight hundred and fifty-six, is a paper for the sale of the land belonging to the Queen of England, on her part agrees to pay us in money, one hundred pounds (100£), which money has been paid to us this day by Mr. McLean.

The reserves for us are as follow:—First, the lake at Katau and a small piece of land adjoining, bounded on one side by a road at the Pakaika, and on the other side by Pulateri; second, the land that was surveyed by Mr. Brunner at Okiwi; third, Whanganui, also surveyed by Mr. Brunner; fourth, twenty (20) acres at Outes, and one hundred (100) acres at Whanganui. These are all the reserves for us.

And having executed all the conditions contained in this paper, we hereby sign our names and marks, at Nelson, this day, the fifth of the days of March, in the year of our Lord one thousand eight hundred and fifty-six.

[Here follow the signatures.]

No. 18.

DEED OF SALE by the NOGATAMA TRIBE.

To the Queen's Commissioners in the Tonga Islands, the Anau Islands, and the Friendly Islands, for the peace of the people, and to the Government of New South Wales, in the name of the Queen of England.

In consideration of the payment of the sum of one hundred pounds (£100), the Queen of England has sold to the Nogatama Tribe, the land described in the deed of sale annexed, containing twenty (20) acres.

Given under the signature of the Queen of England, by her Commissioners, at Collingwood on the 10th day of March, 1878.

[Handwritten text in English]

Ngai lini—

M. Richmond, Commissioner, Crown Lands.
T. L. Tudor, Clerk, Motutapu.
W. Jenkins, Interpreter.
Elwin B. Dickson, Clerk in Land Purchase Office.

81
[TRANSLATION]

This paper or deed of sale, written on this day, on the sixth of the days of March, in the year of our Lord one thousand eight hundred and fifty-six, is a paper of our full and true transfer of all our lands, from Powhoru, Moari, Heneo to Takaka, to Rangita, that is to say, all the places that were formerly sold by Te Aupouri for the sum of one hundred and ninety pounds (£190).

As we did not receive any part of that money formerly paid, we continued to oppose the sale of that land. But now we completely give up all these lands on this day, on which the sun now shines, to Victoria, the Queen of England, for the sum of sixty pounds (£60) in money; together with the land which has been granted to us. We will not allow any persons to intercept or disturb the Europeans who may settle upon this land, which is now given up to them for ever and ever.

[Here follow the signatures.]

No. 19.

DEED OF SALE

By the NOATITAMA TRIBE

No. 534.

Deed of Sale.

E Whakare pene marou i teni ra i te whitu (7) o nga ra o Machi i te toru o to tautou Ariki kotahi manaro o waru runa e rima te kaia ma ora (1956) kia tino tukuna rawaia o marou, wenea kataoa i te teni roa ki a Whakoria te Kuni o Ingarmahikara, ki nga Kuni Kuini ranei o tauri ho i ra, ake tonu atu: Ara ko nga wahi kai i hapa ki swai to marou; nga tangataanga moni o marou e ara hakanga o to whakatau; heoi ko te tino whakapono teni o nga whai ki a te Kuni o Ingarmahikara ake tonu atu, ara nga whai, Anapa, Aorere, Papokohi, te Parapara, Tukurara, Anakaka, te Wakahe, mo o tautou e ake wha ki te Tukarera i ki maori.

Hei ko te tino tukuna te tauri o marou kataoa to hakanga, ko nga tauri o nga whakatupu o marou, ko nga whai roa ki nga Wakahe; ko nga kataoa to marou i te whakatupu e tenei ra o Tukarera i ki maori.

A mo te marou whakahete, ko tuku ho o marou ingoa e maro o marou to whai.

[Here follow the signatures.]

No. 20.

DEED OF SALE BY MEMBERS OF THE NOATITAMA-NOATITARIA TRIBES

By the NOATITAMA-NOATITARIA TRIBES

To Marou pukapuaka tika wahoua e tahitihia nei i teni ra i te whitu 7 o nga ra o Machi i te toru o to tautou Ariki kotahi manaro o waru runa, e rima te kaia ma ora (1855).

Hei ko tuku tino whakahao tino keke pono no marou, ko nga tangata e ma nga ingoa nei te tenei pukapuka, ko tuku rawaia o marou, wenea kataoa ki te Whakakura penua ki te Tukarera noni ko Powhoro te kaia ma ora atu ki Motupipi, ki Whakoria, ki te Kuni o Ingarmahikara, ki nga Kuni Kuini, ranei o tauhiho i nga te ake tonu atu.

A mo te tino hakanga tino takunga rawatanga i nei wenea katoa e whakatau ana te Kuni o Ingarmahikara, mona nga tautou ma nga ingoa nga marou e ake wha ki te ake tonu atu ($1650 os. 0d.). Ko nga marou i ki maori nei i nga marou i te teni ra te Tukarera i ki maori.

[Here follow the signatures.]

Wainui, Katana Te Pueko.
Hoito Te Koruna.
Heneroa Te Rangi.
Kapai Te Herewina.
Katarina x Mess.
Harawira Makete.
Pirika x Tangi Nui.
Toira x Tamaunu.

Nga hāi tiwha—
M. Richmond, Commissioner, Crown Lands.
Edwin E. Dickson, Clerk in Land Purchase Office.
W. Jenkins, Native Interpreter.

[TRANSLATION]

We fully and entirely consent on this day, on the seventh of the days of March, in the year of our Lord one thousand eight hundred and fifty-six, to give up and finally transfer all our lands in this Island to Victoria, the Queen of England, or to the Kings or Queens who may succeed her for ever and ever; that is all the places for which we did not receive payment in any former sale of land. Now this is the full and final giving up of these places to the Queen of England for ever, viz., the following places, Anapa, Aorere, Papokohi, to Parapara, Tukurara, Anakaka, to Wakahe, and all our cultivations at Tukurara.

The payment: we receive for all these places is one hundred and ten pounds (£110), which money has been paid to us this day by Mr. McLean. Now this is the full and sacred ending of all our words concerning the land, which is fully given up and transferred to the Europeans on this day on which the sun now shines, and for ever and ever.

And having thus agreed, we sign our names and macks.

[Here follow the signatures.]
New Zealand - Te Pahi

[Translation]

This paper or deed of sale, written on this day, on the seventh of the days of March, in the year of our Lord one thousand eight hundred and fifty-six, is a paper of the full consent and full and true sale by us whose names are added to this paper wherein we fully and finally transfer all our lands at Whenuakura, thence to the Matan, and continuing on to Pohukura, and thence to Motupipi, to Victoria, the Queen of England, or to the King or Queen who may succeed her for ever and ever.

And having fully and entirely sold and transferred all these lands, the Queen of England on her part agrees to pay us in money, one hundred and fifty pounds (£150 0s. 0d.) which money has been paid to us on this day by Mr. McLean.

[Here follow the signatures.]

No. 21.

Receipt for £19 paid to Hen Ngangito for his Claims to Land in Queen Charlotte Sound.

Kia rao mai ki anu na Te Maharami i tenai ra i to waru o nga ra o Mache, 1856, nga pahua kehe ki kan ma iwa £19 mo oku whenua kato ki Anaikuwa, ki Te Awaiti, ki Toteranui.

Witness - Charles Lucas.

[Translation]

I have received from Mr. McLean, on this day, the eighth of the days of March, one thousand eight hundred and fifty-six, nineteen pounds (£19 0s. 0d.) for the whole of my lands at Anaikuwa, at Te Awaiti, and at Toteranui.

Witness - Charles Lucas.
**CORRESPONDENCE RESPECTING THE BOUNDARIES OF THE NATIVE RESERVE AT WEST WANGANUI.**

---

**SCHEDULE.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Feb. 12, 1862</td>
<td>Mr. James Mackay, jun.</td>
<td>Native Secretary</td>
<td>Reporting the discovery of an available gold field on Native lands in the district of Taiapu, West Coast, Province of Nelson, and the arrangements he had made with the Native owners for its occupation for gold-mining purposes; and enclosing the agreement to that effect entered into by them. Acknowledging the above, and conveying the Governor's and the Government's high appreciation of the skill and good judgment evinced in the steps that had been taken in the matter; and enclosing extract from the deed of cession of Taiapu, with plan annexed thereto.</td>
</tr>
<tr>
<td>2</td>
<td>Mar. 5, 1863</td>
<td>Acting Native Secretary</td>
<td>Mr. James Mackay, jun.</td>
<td>Stating the boundaries of the Taiapu Reserve to be taken as described in the sketch plan above referred to.</td>
</tr>
<tr>
<td>3</td>
<td>Sept. 27, 1863</td>
<td>Mr. James Mackay, jun.</td>
<td>Native Secretary</td>
<td>Enclosing Account of Receipts and Expenditure of the Taiapu Gold Field, from 20th February, 1862, to 31st March, 1863, and explaining why balance of £33 had not been handed over to the Native owners.</td>
</tr>
<tr>
<td>4</td>
<td>Feb. 9, 1864</td>
<td>Acting Native Secretary</td>
<td>Mr. James Mackay, jun.</td>
<td>Reporting arrangements made with the Native owners relative to the balance of £33 referred to above, and enclosing three documents relative to same.</td>
</tr>
<tr>
<td>5</td>
<td>April 10, 1864</td>
<td>Mr. James Mackay, jun.</td>
<td>Native Secretary</td>
<td>Regarding compensation for land sided adjacent to the Taiapu Reserve.</td>
</tr>
<tr>
<td>6</td>
<td>July 9, 1865</td>
<td>Mr. James Mackay, jun.</td>
<td>Native Secretary</td>
<td>Memorandum on Kiwi Taranagapeka's letter.</td>
</tr>
<tr>
<td>7</td>
<td>Sept. 20, 1865</td>
<td>Kiwi Taranagapeka; Governor of New Zealand</td>
<td>...</td>
<td>Memorandum on Kiwi Taranagapeka's letter, recommending his claim.</td>
</tr>
<tr>
<td>8</td>
<td>Dec. 9, 1865</td>
<td>Mr. James Mackay, jun.</td>
<td>Commissioner McLean</td>
<td>Acting for a cart, plough, two oxen, and two cows, in discharge of the claim. Memorandum of His Excellency the Governor's instructions to him on the matter. Memorandum on Kiwi Taranagapeka's letter (No. 3); Memorandum authorising the settlement of the matter.</td>
</tr>
<tr>
<td>9</td>
<td>Dec. 9, 1865</td>
<td>Mr. James Mackay, jun.</td>
<td>Colonial Secretary</td>
<td>Reporting that there is conclusive documentary evidence of the cession of the land in question.</td>
</tr>
</tbody>
</table>

---

**No. 1.**

Mr. James Mackay, jun., to the Native Secretary, Auckland.

Sirs,—

Assistant Native Secretary's Office, Gillingwood, 12th February, 1862.

I have the honor to inform you that an available gold field has been discovered on Native lands in the district of Taiapu, West Coast, Province of Nelson. This district commences at West Wanganui Harbour and terminates at Kereungi Point. The whole of it was reserved for the use of the Natives, and is thus alluded to in Mr. McLean's report of the 7th April, 1856:—

"21. This deed provides that the land exhibited on the plan thereof attached shall be reserved for the Natives; it is, together with what they elsewhere possess, of sufficient extent for their present and future requirements, even if they have a considerable increase of cattle and horses; it is situated within natural boundaries, requiring no outlet for survey, and lies on a part of the West Coast not yet settled from European settlers, but which the Natives were particularly anxious to retain. A Government right of road, should it in future be required, is provided for by a clause to that effect inserted in the deed."

From the best evidence obtainable, it appears that the lands in question originally belonged to the Ngatiwaitakokiri and Ngatiapapa Tribes, who were conquered by the Ngatiarekia and Ngatiwha under Nahi, Tekohei, and Wiremu Te Kahuia. After the conquest the lands were divided between the Ngatiarekia, Ngatiwa, and Ngatiwha Tribes, the Ngatiarekia retaining the largest portion. Since the reserve has been made, it has been generally considered to be held by Kiwi Taranagapeka for himself and others of the Ngatiarekia Tribe. The Ngatiwha claim is supposed to be given up, by the
Ngatiwai having relinquished any title they may have had to lands at Wataipu, which are held by a section of the Ngatiatua. The only other owners beside the Ngatiwai are a few members of the Ngatiawa Tribe, who at present reside at Motupipi and Parawhakaho, and they are entitled to the valley of the River Turawhakiroi.

In the middle of January last the Natives mentioned the discovery of gold at Ngatui, in the district of Taitapu, and then persuaded four Europeans to accompany them on a "prospecting" expedition to that place. On the 5th instance some of the Natives returned to Collingwood, reporting that gold had been found in considerable quantities,—that two men had procured one ounce in one day, without proper tools or appliances, and that several others had been more or less successful; in fact they seemed quite satisfied with the result of the "prospecting." This news immediately created a considerable amount of excitement among the European mining population at Akaroa, and many expressed their intention to proceed to Taitapu for the purpose of mining for gold on the Native lands, or, in smaller terms, to buy or desired to make a "rush" there. The Natives objected to this unless each man paid them for a license.

Seeing the probability of a serious misunderstanding arising, if Europeans were permitted to occupy the Native lands previous to some definite and binding arrangement being entered into with the owners thereof, I immediately issued notices cautioning Europeans from mining for gold within the district of Taitapu, and informing them that by occupying lands over which the Native title had not been extinguished, they would render themselves liable to a penalty of any sum not exceeding £100, or less than £5.

I at once proceeded to West Whanganui and had an interview with Riwiti Turangapako and Pirimous Mataeke To Aupo, son of the late chief Mataeke To Aupo, and several other members of the Ngatiwai Tribe. They informed me that there was a large block of country which contained gold, and they were determined that Europeans should be permitted to occupy it for gold-mining purposes. They also endeavored to enter into an agreement with the European miners to have a "license fee" of one pound per annum, and to have the right of entry into any such arrangement with them on behalf of themselves and others of the Ngatiwai Tribe, that is, if I found the European population still intended occupying the Native lands for the purpose of mining for gold thereon.

From information received from reliable sources, it appeared to be still the intention of the Europeans to make "a rush" to the newly discovered gold fields, and I considered it expedient, for the prevention of bad feeling and disputes between the two races, and for the preservation of order, to enter into an agreement with Riwiti Turangapako and Pirimous Mataeke To Aupo, subject to the approval of His Excellency the Administrator of the Government, by which the European and Native miners would be permitted to occupy and mine on their lands at the Taitapu on condition that every person or occupying or occupying should pay an annual license fee of £1. I do myself the honor to enclose herewith the agreement to that effect, which was entered into by them on the 10th instant.

I trust that, although feeling I have incurred a very grave responsibility by taking the above steps, the extreme exigency of the case may be considered to excuse the same, and that this proceeding will kindly consider that the whole amount of the fine has been paid into Victoria Queen of England, her heirs the Kings and Queens who may succeed her, and her assigns for ever, for the considerations hereinafter written, the right to permit all or any persons of the European or Native race to mine for gold on all that piece of our lands in the Province of Nelson, and named Taitapu, a plan of which land is hereunto annexed. The considerations are as follows, viz.:—

That any person, European or Native, desiring to mine for gold, reside, or fell timber for gold-mining purposes, on the Taitapu diggings, for the space of twelve months from the issue thereof.

That no person, European or Native, shall be permitted to remain on the land unless he be the holder of a license.

That all licenses shall be issued by an officer duly appointed by the Governor in that behalf, on payment of a fee of £1. All fees so received by this officer shall be held by him until demanded by him, when the whole amount is to be delivered to us. It will be for us to arrange the division of it among our relatives, children, or any other persons owning the Taitapu lands.

The Native Secretary, Auckland.

James Mackay, Jud.,
Assistant Native Secretary.

Enclosure No. 1.

Agreement with the Natives to permit Mining on the Reserve at West Whanganui.

This deed, executed on the 10th day of February, in the year of our Lord thousand eight hundred and sixty-two, is a full consent by us, the chiefs of the Ngatiwai Tribe, whose names are hereunto subscribed, and witnesses that on behalf of ourselves, our relations, and descendants, by kindred or affection, we hereby consent unto the same, which is to permit all persons of the European or Native race to mine for gold on all that piece of our land in the Province of Nelson, and named Taitapu, a plan of which land is hereunto annexed. The considerations are as follows, viz.:—

That any person, European or Native, desiring to mine for gold, reside, or fell timber for gold-mining purposes, on the Taitapu diggings, for the space of twelve months from the issue thereof.

That no person, European or Native, shall be permitted to remain on the land unless he be the holder of a license.

That all licenses shall be issued by an officer duly appointed by the Governor in that behalf, on payment of a fee of £1. All fees so received by this officer shall be held by him until demanded by us, when the whole amount is to be delivered to us. It will be for us to arrange the division of it among our relatives, children, or any other persons owning the Taitapu lands.
We also consent to carefully protect all Europeans and all Natives who may be engaged in mining on our lands; and if any offense shall be committed by either Europeans or Natives, we will aid the European Magistrates, and leave it to them to decide the case. The rules and regulations for the time being in force within the "Aceroa Gold Fields" shall be in force within the "Taitapu Gold Fields"; and in case of any alteration in those rules or regulations at Aceroa, the same shall be made at Taitapu, so that the rules and regulations shall at all times be the same as those in force at the "Aceroa Gold Fields." We also consent that the Governor, or those whom he shall appoint in that behalf, shall have power to make other rules or regulations for the "Taitapu Gold Fields," if he or they shall at any future time deem it necessary to bring into operation any such new rules or regulations.

In witness also of the consent of the Queen of England to her part of this agreement, the name of the Assistant Native Secretary is hereunto subscribed.

Ernest Turakirere
Prime Minister Te Arouhi.
James Mackay, Junr., Assistant Native Secretary.

Witness to the signature—
Thos. Stewart, Clerk, Collingwood.

No. 2.

The Acting Native Secretary to Mr. J. Mackay, Junr., Assistant Native Secretary.

Sir,—

I am desired by the Minister for Native Affairs to acknowledge the receipt of your letter of the 12th February, reporting the existence of a payable gold field on the Native Reserve at Taitapu, and forwarding the agreement entered into by you on behalf of the Government with the Native proprietors of that reserve, for the carrying on of gold mining there.

In reply, I am desired to convey to you the entire approval of His Excellency and the Government, and to express to you the high sense they entertain of the skill and good judgment evinced by you in all the steps you have taken. It is with great satisfaction that the Government have learnt the willingness of the Natives to permit the peaceful pursuit of gold mining on their own land, and the promptitude with which you have acted, and provided for what might have been a great difficulty.

It does not appear that further powers are necessary to be sent you at this moment; and the Government rely entirely on your prudence and discretion in taking upon yourself any new responsibility that the exigencies of the case may hereafter require.

I take this opportunity of enclosing you an extract from the deed of cession of Taitapu, with the plan annexed, in order that you may have them for any reference that may become necessary.

Yours, &c.,

James Mackay, Junr., Eqw.,
Assistant Native Secretary, Collingwood.

H. Hall,
Acting Native Secretary.

Enclosure 1 in No. 2.

Excerpts from Mr. McLane's General Report on the Purchase of Land in the Province of Nelson, dated 7th April, 1856.

This deed provides that the land exhibited on the plan here attached shall be reserved for the Natives; it is, together with what they elsewhere possess, of sufficient extent for their present and future requirements, even if they have a considerable increase of cattle and horses; it is situated within natural boundaries, requiring no survey for surveys, and lies on a part of the West Coast as yet remote from European settlement, but which the Natives were particularly anxious to retain. A Government road of right, should it in future be required, is provided for by a clause to that effect inserted in the deed.

Enclosure 2 in No. 2.

Excerpt from Deed of Sale by Ngatiwhaka and Ngatiwha Tribe, executed 10th and 13th November, 1855.

One place is excluded from this new sale, and reserved for our use; viz., the land beyond the Whangamata, commencing at Mangangarakaan; thence to the sea side at the Iwiwara; thence inland to the first ridge of the hills which look eastward to the sea.

We agree that the Government shall have power to make roads through these reserves, for ourselves and for the European settlers.

No. 3.

Mr. James Mackay, Junr., to the Native Secretary.

Sir,—

Referring to your letter of the 9th March last, enclosing an extract from the deed of cession of Native lands in the Middle Island, with the plan annexed thereto. I have the honor to inform you that the boundaries of the Taitapu Reserve as shown on that plan do not at all correspond with the position of the same on the ground, as described in the body of the deed. The southern boundary at To Iwiwara is erroneously placed north of the River Awamutu, instead of being south of it, at Kahurangi Point.
I do myself the honor to enclose a sketch plan, which indicates the position of the boundaries as described in the deed. The portion coloured yellow is also claimed by the Natives, they asserting it was arranged for the sea to be the boundary from the mouth of the river Mangamangakau to the Wharariki Ranges at Kahurangi Point.

According to the Native version, the other boundaries are the Wharariki Ranges from Kahurangi Point to the watershed of the Whakarara Ranges; thence along the latter to the source of the River Mangamangakau; thence down that river to the sea.

The description in the deed is very vague, which may be attributed to the fact that, at the time of its execution, the district of Taitapu was comparatively unknown. The same also applies to the plan attached to it, which could not be accurate, as the land had not been surveyed, neither has it been to the present time. The tracing now forwarded is copied from a sketch map made by myself in 1837, and presented to the Provincial Government.

If it should be deemed advisable to adopt the boundaries as defined in the plan now forwarded, I have the honor to request that this intention may be communicated to me as early as possible, so as to prevent any misunderstanding arising with the Natives. There might be much in the event of the extension of the diggings, of which there seems every prospect.

The accounts received from the Taitapu Gold Field are considered satisfactory, and new discoveries of auriferous country have been made. The number of persons present engaged in gold mining may be estimated at thirty-five, principally Natives.

I have, &c.,

The Native Secretary, Auckland.

JAMES MACKAY, JURY.,
Assistant Native Secretary.

No. 4.

The Acting Native Secretary to Mr. James Mackay, Jury.

Sirs,—

With further reference to your letter of the 27th September last, I am directed to inform you that, under the circumstances stated to the Native Minister in a conversation held by you with him upon this subject, you are authorized to inform the Natives that the boundaries of the Taitapu Reserve will be taken as described in the sketch forwarded in your communication above referred to (a copy of which is now enclosed), and not as delineated on the original plan deposited in this office.

I have further to request that you will communicate the substance of this letter to the Waitangi Commissioner at Nelson, in order to prevent any difficulty hereafter arising with that Province.

I have, &c.,

H. HAZLE,
Acting Native Secretary.

No. 5.

Mr. James Mackay, Jury, to the Native Secretary, Auckland.

Sirs,—

I have the honor to enclose herewith accounts showing the sums received and expended on account of the Taitapu Gold Field from the 12th February, 1863, to the 31st March, 1863.

You will observe that the sum of £28 has been collected during that period, and that £29 10s. has been paid to the Natives; £29 10s. to the Receiver of Land Revenue here; and £1 for printing licenses; making a total expenditure of £29, and leaving a balance of £6 on hand.

In the absence of any instructions on the subject, I have not deemed it advisable to mix up the accounts of moneys received from the Taitapu Gold Field with those of moneys received by me as Receiver of Land Revenue at the Nelson Gold Field, as the latter is payable to the Province, and the proceeds of mining licenses issued for the former are to be handed over to the Natives.

With reference to the balance in hand, £68, I have not considered it prudent to hand it over to Rua Turangapakeke and Pimagina Matenga, in accordance with the agreement entered into with them on the 10th February, 1862, as they are disposed to act unfairly towards the other claimants to the Taitapu Reserve, especially those of the Ngatiitu and Ngatiwaha Tribes.

On the 10th and 11th days of September last, a meeting of the claimants was held at Collingwood, when I made certain proposals relative to the division of the money and lands between them. This was not carried at the time, but as I publicly announced my intention of holding the money until they could agree as to the division of it, and have since adhered to the terms then laid down, they are beginning to feel a little more desire to have the question finally settled, and I have no doubt it will eventually be amicably arranged.

I have, &c.,

JAMES MACKAY, JURY.,
Assistant Native Secretary.

The Native Secretary, Auckland.

No. 6.

Mr. James Mackay, Jury, to the Native Secretary, Auckland.

Sirs,—

Assistant Native Secretary's Office, Collingwood, 8th July, 1863.

With reference to my letter of the 16th April last, respecting the Taitapu Reserve, I have the honor to inform you that the whole of the industrial men of the Ngatiwaha were present at a meeting held at Collingwood on the 3rd and 4th instant, to consider certain proposals made to them by the Ngatiwaha chiefs. I took advantage of that circumstance to bring forward the question as to the
partition of the lands forming the Taitama Reserve, between the Natives of the Ngatiara, Ngatiama, and Ngatiawa Tribes. The Ngatiara and Ngatiawa Tribes were well represented at the discussion.

I have much pleasure in informing you that after many stormy arguments on the 6th and 7th inst., I succeeded in finally arranging the question to the satisfaction of all concerned. The Ngatiama and Ngatiawa are to give up all claim to the moneys arising from gold-mining licences; also, all claim to the land at Taitama except as follows:

1. The Ngatiama to have all their old cultigations extending along the coast from Kaukaparua to Te Wahi Ngaiko, and the country for one mile inland from the back boundary of those cultigations.
2. The Ngatiama chief Wiremu Katene Te Mana and Paremoremo Hauaiti are to have some land near Pata Rau, which they formerly cultivated in common with the Ngatiara.
3. The Ngatiawa of Parihakaheko are to have all their old cultigations extending along the coast from Turinawaiwi to Taumar, and the country for one mile inland from the back boundary of those cultigations.

I made the Ngatiara and Ngatiawa, and Ngatiarua and Ngatiawa, sign documents setting forth the boundaries of their respective blocks. On concluding this I paid over to the Ngatiara the sum of £50, being the balance of fees collected for gold-mining licences from the 11th February, 1864, to the 31st March, 1865, taking the receipt of three of the chiefs for the amount.

This is a matter which has been long pending, and the termination cannot be looked on as other than satisfactory, especially as the Ngatiarua have all through expressed their determination not to admit the other tribes to the reserve.

I have, &c.,

The Native Secretary, Auckland.

Assistant Native Secretary.

Enclosure 1 in No. 6.

Names of Members of the Ngatiarua Tribe admitted to share in the Native Reserve at West Wanganui.

Ko ahau tenei ko Eiwai Tumangapike e whakaa ana ke uia ki kotoa ki nga wharua i to Taitama i to taba ki e Ngatiarua nga tangata kia oroi nei o ratou ingoa to raui taui i raui, ara:


I tabia i to whitu o nga ra o Horua, 1863.

Eiwai Tumangapike.

Kai titiro,—James Mackay, juir., Assistant Native Secretary.

7th July, 1865.

Enclosure 2 in No. 6.

Agreement between the Ngatiarua and the Ngatiawa respecting the Boundary of the Land allotted to the latter out of the Reserve at West Wanganui.

Hei Pukapuka whakamo tenei na mautu na nga Tangata o Ngatiarua, na ratou nga ingoa i uia nei, ko nga rohe o nga wharua i to Brera Tana Te Kaha ratou ko tono whakaa i to Taitama. Ke timata i tathai; i to aua o Turinawaiwi hea rohe tonu i tathai ki Taumar; haere tonu ki uta ki te rohe o nga mahinga, haere tonu i kona aotaihia maire (mule) ki uta; ke whiti i kouratasi ki haere tonu ri te raui maire ki te rohe o te raui o tatahi ki te rohe ki te aua o Turinawaiwi, ki haere whakapai i rohe; i to aua aotaihia maire (mule) ki te aua ki te puke ono; ke haere tonu ki te raui ki te teki i timata ki te kai hukua nga rohe ki koura.

A bei tohia kohi mo te whakasaetanga o nga tangata katoa me tama Brera Tana Te Kaha ratou ko tono whakaa, ki ana rohe, kura tabia kohi o raion ingoa ki a rohe i te teki i te whitu o nga ra o Horua, 1863.

Ngatiarua:

Eiwai
Wirihana Raukiti
Piripiri Matenga
Piripiri Te Ngapo
Bore Pukokoba
Takarei Taturua, tonu k. tohu
Takarei Poata, tonu k. tohu
Aperehena Te Wheta, tonu k. tohu
Pita Tapa, tonu k. tohu
Pamaro Kaipara, tonu k. tohu
Heta, tonu k. tohu

Ngatiawa:

Brera Tana Te Kaha
Hori Tana Te Kaha
Brimi Te Kaha

Witnesses to the above signatures:

James Mackay, juir., Assistant Native Secretary.
Alexander Mackay, Settler, Collingwood.
D. Johnston, juir., Officer in Charge, H.M. Customs, Collingwood.

88
Enclosure 3 in No. 6.

Agreement between the Ngatitama and the Ngatituma respecting the boundaries of the land allotted to the latter out of the Reserves at West Wanganui.

Hei Pukapuka whakase tenei ma aitu mai nga rangira ma nga tangata o Ngatituma, ma rauru nga ngainga o mau i raro nei, ma nga rahi o nga whenua o Ngatitama i te Taiapu. Ka timata i tataki i te awa o Kaikourawai, haere tonu i tataki ki te Wahi Ngakau; haere tonu ki uia ki te rohe o nga mahia tawhito; haere tonu i kona kothai mairo (mile) ki uia; ka whaki i kona, haere tonu, rito tonu te raina ki te rere o te raina o tataki ka tae ki te wai o Kaiwaiawai; haere tonu whakataki i rito i tanga kothai mairo (mile) ki te rohe o nga mahia tawhito; haere tonu ki tataki, ki te whai i timata ai; ka tukahi nga rohe ki kona.

A hei toki hoaki mo te whakaketaanga o nga tangata katoa o Ngatitama ki uia rohe, kia tuhi hoki o rauru ingoa ki raro i tenei ra i te whenua o nga ra o Huraa, 1868.

Ngatituma:
- Riwai Turangapokia
- Pirinoa Matenga
- Wiriwha Hauaitua
- Wiriwha Kaunaha
- Raniura Matenga
- Piripi To Ngamoh
- Hore Puketchnitu

Ngatitama:
- Ratimana Ngapara
- Ramaka To Ketu
- Pene Wiremu Ngapara
- Inia Chau
- Takarei Tututuru tonu x tohu
- Takarei Paireta tonu x tohu
- Aperahama To Whata tonu x tohu
- Fia Taiaroa tonu x tohu
- Pasifero Kaspera tonu x tohu
- Heta tonu x tohu

Witnesses to the above signatures—
- James Mackay, juni., Assistant Native Secretary, Collingwood.
- Alexander Mackay, Settler, Collingwood.
- D. Johnstone, juni., Officer in Charge of H.M. Customs, Collingwood.

No. 7.

Riwai Turangapokia and mother to His Excellency the Governor.

For the Governor,—

Auckland, 29th September, 1863.

This is my word to you; for the land asked for by Mr. McLean from me formerly when Aramara was sold. He said, Give some land for the Governor; let this be your love to the Governor. I gave to him this land. He said it would be for the Governor to remember. Do you inquire of Mr. McLean Toiro in the northern boundary; Mangamangakau in the southern boundary.

If this matter is arranged by you and Mr. McLean let your love increase to me, because the whole of the Ngatituma heard my word of consent to Mr. McLean. If you agree, do you write to me. My place is Taiapu, but Aorene is my dwelling-place.

This is another matter for your consideration—for your word to protect our Island. My desire is that you should publish it in the Moari Messenger, that it may be seen by our relatives who are living in the Middle Island.

From your loving friends,

Riwai Turangapokia
Rona Puketchnitu

Memorandum on the above by Mr. James Mackay, juni.

This subject was brought under the notice of His Excellency by Riwai personally, and I was instructed to write to Mr. McLean for his report. I wrote in accordance with the Governor's request, but received no answer.

On the 6th December I saw Mr. McLean, and brought the subject under his notice. He then attached the minute of that date.

Since my return to Nelson in October last, I have made inquiry as to whether Riwai actually gave a piece of land to the Government or not, and the Natives seem to be of opinion that he did not receive any compensation for his claim to the land in question. It appears that the block between Major Richmond's purchase at Pakawau and the large Native Reserve at Taiapu was cut off from the remainder of Mr. McLean's purchase by the above reserve at Taiapu, and Mr. McLean said to Riwai that he had better throw in that piece with the Aramara Block. The extent of the block thus given up is about 20,000 acres.

9th December, 1863.

James Mackay, juni.
MEMORANDUM by Mr. Commissioner McLean.

I have some recollection of the circumstances referred to, and I believe that Riawai is entitled to some consideration in this matter. Riawai is one of the principal men of the Ngatiruan Tribe, who sold a large extent of land to the Government for a very small amount of purchase money.
5th December, 1883.

DONALD MCLEAN.

---

No. 8.

EXTRACT from a Letter from Riawai Turangapeke to His Excellency the Governor.

Auckland, 20th September, 1883.

This is a word of mine to you for the cart, the plough, the pair of oxen, and two cows that you should give them to me at once when we return to Nelson.

Do you complete it all.

From your loving friend,

Riawai Turangapeke.

---

MEMORANDUM by Mr. James Mackay, Jura.

The cart, plough, pair of oxen, and two cows within mentioned are the compensation which Riawai asked for the land he gave to the Government near Wanganui, Nelson. His Excellency requested me to write to Mr. McLean, and at the same time to inform Riawai that if Mr. McLean was favourable to this claim a present should be made to him.

9th December, 1883.

JAMES MACKAY, JURA.

---

MEMORANDUM by the Native Secretary.

From the attached letter (20th September, 1883) it appears that the writer only asks for a cart, plough, pair of oxen, and two cows, in fulfilment of Mr. McLean’s implied engagement.

9th December, 1883.

E. SHORTLAND.

---

MEMORANDUM by the Hon. the Colonial Secretary.

In this will finally settle the matter and make good the Crown title to the 20,000 acres, let it be done. But let there be conclusive documentary evidence.

10th December, 1883.

WILLIAM Foy.

---

No. 9.

Mr. James Mackay, Jura, to the Hon. the Colonial Secretary.

Sir,—

Auckland, 10th December, 1883.

Referring to the application made by Riawai Turangapeke for compensation for certain lands near Wanganui, Nelson, formerly ceded to the Crown without payment, I have the honor to inform you that there is conclusive documentary evidence already in existence of the cession of the land in question, as it was included in the deed of conveyance, executed at Nelson on the 10th November, 1855, by Riawai Turangapeke, or Ngapaki, and others of the Ngatiruan Tribe.

I have, &c.,

The Hon. the Colonial Secretary,
(Native Department,) Auckland.

JAMES MACKAY, JURA.
Assistant Native Secretary.

MEMORANDUM.—Riawai Turangapeke was subsequently presented with a cart, plough, pair of oxen, and two cows, in fulfilment of Mr. McLean’s implied engagement made at the final cession of the Ngatiruan claims in the Middle Island.
CORMEON DrRCE RELATIVE TO BOUNDARIES OF THE WHITE'S BAY RESERVE, AND THE SUBSEQUENT PURCHASE OF TWO ACRES FOR A SITE FOR A TELEGRAPH STATION.

SCHEDULE.

<table>
<thead>
<tr>
<th>No. of</th>
<th>Date</th>
<th>Writer</th>
<th>To whom Addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 13, 1865</td>
<td>Mr. Alex Mackay</td>
<td>Mr. Donald McLean</td>
<td>Respecting the extent of a Native Reserve at White's Bay, Marlborough Province, and forwarding plan of same.</td>
</tr>
<tr>
<td>2</td>
<td>Aug. 16, 1865</td>
<td>Mr. Donald McLean</td>
<td>Mr. Alex Mackay</td>
<td>Giving his opinion that the plan corresponds with his agreement with the Natives respecting the reserve.</td>
</tr>
<tr>
<td>3</td>
<td>Aug. 10, 1867</td>
<td>Mr. Alex Mackay</td>
<td>Under Secretary, Native Department</td>
<td>Reporting amount of Native owners of the reserve at White's Bay, to bring the two acres required by Government under &quot;The Native Reserves Act, 1866,&quot; and forwarding agreement with them for same.</td>
</tr>
<tr>
<td>4</td>
<td>Nov. 26, 1867</td>
<td>Order in Council</td>
<td>...</td>
<td>Bringing two acres of Native Reserve at White's Bay under the provisions of &quot;The Native Reserves Act, 1866.&quot;</td>
</tr>
<tr>
<td>5</td>
<td>Dec. 9, 1867</td>
<td>Under Secretary, Native Department</td>
<td>Mr. Alex Mackay</td>
<td>Instructing that an advance of £50 had been authorized to pay the Natives for the two acres at White's Bay required for the Telegraph Station.</td>
</tr>
<tr>
<td>6</td>
<td>July 16, 1868</td>
<td>Mr. Alex Mackay</td>
<td>Under Secretary, Native Department</td>
<td>Reporting completion of the purchase, and enclosing receipts from Natives for the £50.</td>
</tr>
</tbody>
</table>

No. 1.

Mr. Alexandre Mackay to Mr. Donald McLean.

Nelson, 11th July, 1865.

I have the honor to address you, at the request of His Honor the Superintendent of Marlborough, respecting the extent of a Native Reserve, situated at White's Bay, in the Marlborough Province.

It would appear that this reserve was not laid off until March, 1862, when it was marked out at the request of the Marlborough Government, by Mr. James Mackay, jun., who was guided in the matter by the statement contained in your report of the 7th April, 1860, namely, that the reserve for the use of the Wairau Natives consisted of 770 acres on the left bank of the Wairau River, a small bay named White's Bay, and about 200 acres adjacent thereto. The boundaries of the reserve were accordingly laid off so as to include the area above mentioned. The Natives were apparently satisfied with the reserve as laid off, until the arrival of Hokepa Tamahia from Wellington, on a visit, who, on being told of the boundaries of the White's Bay Reserve as laid off by Mr. James Mackay, informed them that the survey was incorrect, as it differed from the agreement between himself and Mr. McLean. Hokepa's statement is partly borne out by your memorandum, dated 24th April, 1858, describing the boundaries of the Native Reserves to be laid off, in which I found the following instructions for laying out the Native Reserve at White's Bay as a fishing station for the Natives of the Wairau:

"White's Bay, or te Pakata, the fishing reserve for the Natives, is bounded to the North by te Akeia, on to the range above the bay, and descends at a red cliff called Taharka, where there is a small stream of water; the boundary is to be run back until it reaches the Pakata Stream, where they desire to fish eels and plant potatoes."

In justice to Mr. James Mackay, I beg to state that he had never seen these instructions; and it was only on my searching through the papers in the department of the late Commissioner of Native Reserves that the aforesaid memorandum was brought to light.

Owing to the dissatisfaction expressed by the Natives of the Wairau at the reserve as marked off by Mr. James Mackay, I had a resurvey made in April last, in conformity with the description contained in the said memorandum, and it is now found to contain over 2,000 acres.

The Marlborough Government are now desirous to know whether it was ever contemplated to give the Natives a reserve of so great a magnitude at White's Bay, as the one included in the present survey, as it places them in rather an awkward position, as a great portion of the country now included within the boundaries of the reserve has been held under lease for several years from the Government, by Mr. Samuel Bowler, as a sheep run.

I herewith enclose, for your information, a tracing of the survey made in accordance with the description contained in your memorandum.

Trusting you will excuse me for troubling you with a matter that ought to have been settled long since, and waiting the favour of an early reply as you can conveniently give.

I have, &c.,

Alexandre Mackay,
Commissioner of Native Reserves.

His Honor D. McLean, Esq., Superintendent, Hawke's Bay.
No. 2.

Mr. Donald McLean to Mr. Alexander Mackay.

Sir,—

Wellington, 15th August, 1866.

In reply to your letter of the 11th of July, 1865, respecting a reserve set apart for the Natives at White's Bay, near the Waimea, a plan of which you enclosed, I have to state that the boundaries of the reserve as delineated on that plan correspond, so nearly as I can recollect, with the arrangements concluded with the Natives at the Waimea respecting this reserve.

I have taken the opportunity of expressing my opinion on this subject to His Honor the Superintendent of Marlborough, who is at present in Wellington.

I regret that your letter should have remained so long unanswered.

I have, &c.,

Alexander Mackay, Esq., Commissioner of Native Reserves.

Donald McLean.

No. 3.

Mr. Alexander Mackay to the Under Secretary, Native Department.

Sir,—

Nelson, 10th August, 1866.

In compliance with the instructions contained in your telegram of 24th July, I have the honor to inform you that I have obtained the assent of the Native owners of the reserve at White's Bay, to bring the two acres required by the Government in that locality under the provisions of “The Native Reserves Act, 1866.” I have defined the boundaries of the said land in the enclosed form, taking care to enclose sufficient area to include the whole of the present buildings.

I have the honor to forward herewith the form under the Act, with the signatures of the Native owners duly appended, together with the agreement entered into by them to sell the said land to the Government for the sum of £20.

I have, &c.,

A. Mackay,

The Under Secretary, Native Department.

Nativo Commissioner.

Enclosure in No. 3.

Form of Agreement.

Pikton, 24th July, 1867.

We, the undersigned owners of the land at the Tahates (White's Bay), hereby agree, for ourselves and all others having an interest therein, to absolutely sell to the Government two acres of the said land at the site of the present Telegraph Station for the sum of £60, and this is the final agreement.

Witnesses to the signatures—

Alexander Mackay, Commissioner of Native Reserves, Nelson.

No. 4.

Order in Council bringing two acres of Native Reserve at White's Bay under the provisions of “The Native Reserves Act, 1866.”

G. Gray, Governor.

Order in Council.

At the Government House at Wellington, the twenty-sixth day of November, 1867.

Present: His Excellency the Governor in Council.

WHEREAS by an Act of the General Assembly of New Zealand, intitled “The Native Reserves Amendment Act, 1862,” it is amongst other things provided that where under the provisions of “The Native Reserves Act, 1866,” the assent of the aboriginal inhabitants is required to bringing land under the operation of the said “Native Reserves Act, 1866,” the Governor may by Ordinance Council declare such assent to have been ascertained, and thereafter the title of the aboriginal inhabitants in the land to which the same shall relate shall be deemed to be extinguished, and the land shall from the date of such Ordinance Council rest in Her Majesty for the purposes and subject to the provisions of the said “Native Reserves Act, 1866,” as altered by the said Act of 1862, and that as effectually as if the same had been ceded and conveyed by such aboriginal inhabitants to Her Majesty;

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, doth hereby declare that the assent of the aboriginal inhabitants to the bringing the piece of land described in the Schedule hereunder written under the operation of “The New Zealand Native Reserves Act, 1866,” has been ascertained.

FORMER GOMING,
Clerk of the Executive Council.
Blenheim, Tairua, 24th March, 1869.

Received by the hands of Stephen Dunn-Müller, R.M. the sum of Fifty pounds sterling as the amount formerly agreed on in full payment for Two acres at Whiti's Bay required by the Government as a site for a Telegraph Station, a Plan whereof is hereunto annexed and thereon coloured Yellow, and signed by us, as a correct outline of the portion of the Land surrendered as aforesaid.

£50.0.0.

Witness to the signatures
(Signed) Henry J. Bost
Clerk in Holy Orders
Blenheim.

The signing of our names hereunder certifies that the Plan of the piece of land as drawn on the margin hereof and hereon coloured Yellow is the land at Whiti's Bay we have surrendered to the Government.

(Signed) Pore Pukekohata
Ihiaa Raitua
Wirihana Maui
Wirihana Kaikata

Witness to the Signatures
(Signed) Henry Bost
Clerk in Holy Orders
Blenheim.

Note: The Yellow Colour is marked on the Map, thus:
SCHEDULE.

All that piece of land situate at White's Bay (Pukatea), Wairau, being part of the Native Reserve there, bounded towards the North, six hundred links, by other portion of the said Native Reserve; towards the East, three hundred and fifty links, by high water-mark; towards the South, six hundred links, by other portion of the said Native Reserve; and towards the West, three hundred and fifty links, by other portion of the said Native Reserve.

No. 5.

The UNDER SECRETARY, Native Department, to Mr. ALEXANDER MACKAY.

Sir,—

Native Secretary's Office, Wellington, 9th December, 1857.

I have the honor, by direction of Colonel Havelock, to inform you that an advance of £50 has been authorized to enable you to pay the Natives for two acres at White's Bay required for the Telegraph Station.

Instructions have been sent to the Sub-Treasurer at Nelson to pay you the above amount, and I am to request you to obtain receipts from the Natives.

A. Mackay, Esq., Commissioner, Native Reserves,
Christchurch.

W. Rolleston,
Under Secretary.

No. 6.

Mr. ALEXANDER MACKAY to the UNDER SECRETARY, Native Department.

Sir,—

Nelson, 10th July, 1858.

In reference to your letter No. 676, of 9th December, 1857, informing me that an advance of £50 had been authorized to enable me to pay the Natives for two acres at White's Bay required for the Telegraph Station, I have the honor to inform you that the matter has been completed, and beg to enclose herewith, in support of the payment, a copy of the receipt given by the Natives for the amount in question, the original of which has been forwarded to the Treasury.

Owing to my being absent at the time your letter was received, I was unable to complete the transaction at that date; and on my return to Nelson in March last, finding that I would not visit the Wairau in person, owing to my services being required at Christchurch at an early date, I considered it advisable, in order to effect a final settlement of the matter without further delay, to remit the amount to the Resident Magistrate at Blenheim for payment to the Natives, as they were getting impatient at the money not being forthcoming before.

A. Mackay, Esq.,
Native Commissioner.
CORRESPONDENCE RELATIVE TO THE ADJUSTMENT OF THE
BOUNDARY OF THE RESERVE AT WAKAPUAKA.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Aug. 12, 1862</td>
<td>Mr. J. Mackay, junr.</td>
<td>Assistant Native Secretary</td>
<td>Reporting the arrangement he had made with the Ngatiapa and Ngatikota Tribes, respecting the long pending question of the northern boundary of the lands held by the Ngatiapa at Wakapuaka. Acknowledging above letter, and conveying the entire approval of the Minister for Native Affairs of the proceedings.</td>
</tr>
<tr>
<td>2</td>
<td>Nov. 8, 1862</td>
<td>Acting Native Secretary</td>
<td>Mr. J. Mackay, junr.</td>
<td>Reporting that the Ngatiapa and Ngatikota Tribes had arranged for the boundary of the lands held by the Ngatiapa at Wakapuaka, and that the Ngatikota reserve of 100 acres at Wangamous, intended for the Ngatikota (the position of which had not been defined), should be included within the Ngatiapa boundary, but should be marked off for the Ngatikota.</td>
</tr>
</tbody>
</table>

No. 1.

Mr. JAMES MACKAY, JUNR., to the NATIVE SECRETARY, Wellington.

SIR,—

Assistant Native Secretary's Office, Collingwood, 12th August, 1862.

The question as to the position of the northern boundary of the lands held by the Ngatiapa at Wakapuaka having been long pending, and the Provincial Government of Nelson being desirous of surveying some land in that neighbourhood, I deemed it expedient, when at Nelson in June last, to arrange it.

I accordingly proceeded to the pa at Wakapuaka, and on the 27th and 28th days of June had interviews with the chiefs Wiremu Katene Te Manu, of the Ngatiapa, and Maka Tarapiko, of the Ngatikota, and other Natives interested in the matter. On the 28th it was arranged that the River Wangamous, from its source to the sea, should form the northern boundary of the Wakapuaka lands, and that a reserve of 100 acres at Wangamous, intended for the Ngatikota (the position of which had not been defined), should be included within the Ngatiapa boundary, but should be marked off for the Ngatikota.

In order to more clearly understand the case, it may be considered necessary to make the following remarks on it, and on my proceedings.

In 1860 the Ngatikota ceded to the Crown all their claims to lands as far as Maungani; a place a short distance south of Wangamous. The Ngatiapa and their chief Wiremu Katene Te Manu refused to acknowledge the right of the Ngatikota to sell any land south of the River Wangamous. Mr. McLean also found it impossible to purchase any lands on the section of the Ngatiapa residing at Wakapuaka. On investigating the case, and inquiring from Maka Tarapiko why himself and the other Ngatikota had sold the land as far as Maungani, he answered that the lands between O Mokau, north of the River Wangamous, and Maungani, south of Wangamous, belonged to both the Ngatikota and Ngatiapa Tribes, and for many years previous to Mr. McLean's purchase both tribes had disputed about the boundary. He considered that the Ngatikota had not the sole right to dispose of the land as far as Maungani. If both tribes had joined in doing so, it would have been valid.

The chief Wiremu Katene Te Manu, on his part, expressed his determination to have the River Wangamous as the boundary of the lands held by himself and his tribe, and would not admit the right of the Ngatikota to sell any land south of that river. He also demanded, that the reserve of 100 acres, intended for the Ngatikota, should be laid off on the northern bank of it.

Finding that the Ngatikota could not prove a clear title to any of the land south of Wangamous, I then proposed that the River Wangamous should be the northern boundary of the Wakapuaka lands, provided the reserve of 100 acres for the Ngatikota was laid out on the south side instead of on the north. After much argument and numerous refusals on the part of both Wiremu Katene Te Manu and Maka Tarapiko, this was agreed to; and whenever the reserve of 100 acres is surveyed, both tribes will attach their names to the plan of the boundaries.

The other boundaries of the Wakapuaka Reserve are well known, and have been arranged for many years past.

Hoping that the steps taken to conclude this long outstanding dispute will meet with the approval of His Excellency the Administrator of the Government,

I have, &c.,

JAMES MACKAY, JUNR.,
Assistant Native Secretary.

The Native Secretary, Wellington.
No. 2.

The Acting Native Secretary to the Assistant Native Secretary, Collingwood.

Sir,—

In acknowledging the receipt of your letter of the 13th August last, reporting your proceedings, when in Nelson in June last, in arranging the position of the northern boundary of the lands held by the Ngatiama at Wakaupua, I am directed by the Minister for Native Affairs to inform you that he has, during a long time past, observed with pleasure that your reports generally show that what cases are taken in hand by you are really settled, and that your proceedings in this instance are entirely approved.

I have, &c.,

H. HALEN,

The Assistant Native Secretary, Collingwood.

Acting Native Secretary.
CORRESPONDENCE RELATIVE TO THE RELINQUISHMENT BY THE COLLEGE GOVERNORS OF CERTAIN SECTIONS AT MOTUPUPI IN FAVOUR OF THE NATIVES.

SCHEDULE.

<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Writer</th>
<th>To whom addressed</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Feb. 21, 1883</td>
<td>Mr. James Mackay, Junr.</td>
<td>The Native Minister</td>
<td>Relative to certain Native Reserves at Motupipi, in the Province of Nelson, and proposing arrangements concerning same with the Governors of Nelson College.</td>
</tr>
<tr>
<td>2</td>
<td>Feb. 22, 1883</td>
<td>The Native Minister</td>
<td></td>
<td>Memoranandum recommending that the necessary steps should be taken to carry out the propositions contained in the above.</td>
</tr>
<tr>
<td>3</td>
<td>July 14, 1884</td>
<td>Mr. James Mackay, Junr.</td>
<td>Hono. the Colonial Secretary</td>
<td>Reporting that the instructions conveyed in Memorandum of 22nd February, 1883, had been carried out so far as regards section 9, Motupipi, and enclosing a deed of exchange of the land in question; also suggesting certain steps to be taken by the General Government regarding sections 5, 6, and 16.</td>
</tr>
<tr>
<td>4</td>
<td>Jan. 17, 1885</td>
<td>Mr. Kantell</td>
<td>The Superintendent of Nelson</td>
<td>Proposing certain arrangements to be made with the Governors of Nelson College regarding sections 5, 6, and 16.</td>
</tr>
<tr>
<td>5</td>
<td>July 23, 1885</td>
<td>Mr. Alex. Mackay</td>
<td>The Native Secretary</td>
<td>Requesting instructions as to investing the Natives of Motupipi with the legal possession of the above sections.</td>
</tr>
<tr>
<td>6</td>
<td>Aug. 18, 1885</td>
<td>Secretary of Crown Lands</td>
<td></td>
<td>Memorandum advising the proper proceedings to be taken.</td>
</tr>
<tr>
<td>7</td>
<td>Mar. 24, 1870</td>
<td>Mr. Alex. Mackay</td>
<td>Under Native Secretary</td>
<td>Forwarding correspondence of sections 5, 6, and 16 from the College Governors at Nelson to the Queen, and recommending certain arrangements to be made regarding these lands in preference to their investment in the names of trustees for the benefit of the Natives.</td>
</tr>
<tr>
<td>8</td>
<td>May, 1870</td>
<td>Assistant Under Native Secretary</td>
<td>Mr. Alex. Mackay</td>
<td>Acknowledging and approving the recommendations contained in the above.</td>
</tr>
<tr>
<td>9</td>
<td>July, 1870</td>
<td>Mr. Alex. Mackay</td>
<td>The Under Secretary, Native Department</td>
<td>Reporting the amount of the Natives to Reserve I, J, and K being brought under &quot;The Native Reserves Act, 1856.&quot;</td>
</tr>
<tr>
<td>10</td>
<td>Aug. 31, 1870</td>
<td>Order in Council</td>
<td></td>
<td>Bringing certain reserves at Takaka, in the Province of Nelson, under the provisions of &quot;The Native Reserves Act, 1856,&quot; in furtherance of this matter.</td>
</tr>
</tbody>
</table>

NO. 1.

MEMORANDUM BY MR. JAMES MACKAY, JR., TO THE HON. THE NATIVE MINISTER, RELATIVE TO THE NATIVE RESERVE AT MOTUPUPI, IN THE PROVINCE OF NELSON.

It appears that this question has been outstanding since the days of the New Zealand Company, and it is highly desirable to arrange it as soon as possible.

The Native object in taking the reserve as laid out on the map of the district of Takaka. This reserve was surveyed under the direction of the Assistant Native Secretary on the 14th January last.

The Native version of the affair is as follows:—They were in occupation of sections 5, 6, 7, and 16, in the district of Takaka, in Captain Wakefield's time. Mr. Ligar came to arrange the question.

He told them if they would abandon their cultivations on section 16, on the east bank of the River Motupipi, and remove to the western bank, they should have sections 5 and 6, and portions of sections 4 and 7, reserved for their use. In consequence of this arrangement they abandoned their cultivations on section 16, and removed to the west bank of the River Motupipi.

With reference to the truth of this statement, they have no documents to show in support of it; they however assert that Mr. Ligar promised to forward these to them from Nelson. Mr. James Lovell, a respectable settler at Motupipi, recollects Mr. Ligar's visit, and states that the Native abandoned section 16, immediately after it. Lovell is well acquainted with the Maori language, and he states that he was informed by them at the time of the arrangements entered into between them and Mr. Ligar, Mr. Sinclair, when Resident Magistrate at Nelson, endeavoured to arrange this question, but did not succeed, owing to the opposition of the Natives.

The reserve, as at present shown on the plan, is of a most peculiar shape, and would require a vast amount of fencing to encompass it. It includes within its boundaries portions of sections 4, 5, and 6.

The remaining portions of sections 4 and 7 have been granted to Thomas Wills, and of sections 5 and 8 have been granted to the Trustees of Nelson College.

It is now proposed to exchange section 9 for the Native land at Motuoka, and to give it up to the Native at Motupipi as part compensation for the lands which have been granted to Thomas Wills and...
the Trustees of Nelson College respectively. It is also recommended that the Trustees of Nelson College shall be requested to exchange these parts of section 6 which are granted to them for land elsewhere, with a view that section 6 may be given up to the Natives. It will be impossible to alter the boundaries of the Native Reserve on sections 4 and 7, as these have been granted to Thomas Willis.

If the Trustees of Nelson College will not exchange the land on sections 5 and 6 for land elsewhere, I would then recommend that the boundaries of the reserve should remain as laid out on the ground, and section 8 should be given up to them.

Section 80 was reserved by Mr. McLean for Rewiri Watine and his people, in ignorance that it had been granted to the Trustees of Nelson College. It must, however, be observed that Rewiri Watine was in occupation of lands on this section long previous to the grant to the Trustees of Nelson College.

I have proposed to the Governors of Nelson College to give up section 80 to the Crown, and take an equivalent quantity of land elsewhere. They readily consented to do so, or to let the section to the Commissioners of Native Reserves at Nelson. His Honor the Superintendent is quite willing to give land to the College Governors instead of section 80. The Commissioners of Native Reserves prefer paying a yearly rent to the College Governors for section 80 to exchanging it for other land.

It is, however, recommended that immediate steps should be taken to confirm Mr. McLean’s award, and to put Rewiri Watine and his people in possession of section 80.

21st February, 1883.

JAMES MACKAY, JUNE.
Assistant Native Secretary.

No. 2.
MEMORANDUM by the Hon. the Native Minister, recommending that Mr. James Mackay should take the necessary steps to place the Natives of Motupipi in possession of certain lands there.

Mr. MACKEY,—

The propositions in this Minute are entirely approved by me, and I request you will take the necessary steps for carrying them out, and communicating with the Trustees of the Nelson College on my behalf.

It would be a lasting disgrace to the Government if they failed to put these Natives in possession of lands which have been promised them as reserves by Mr. Liggar and Mr. McLean; and the patience with which they have waited ought to be an additional inducement to let the final arrangement be satisfactory to them.

I am very sensible of the friendly spirit in which the Superintendent and the College Governors have acted in the matter since the circumstances came to their knowledge, and it seems only necessary to instruct the Commissioners of Native Reserves accordingly.

22nd February, 1883.

F. D. BELL.

No. 3.
Mr. JAMES MACKAY, JUNE, to the Hon. the Colonial Secretary.

Sir,—

I have the honor to inform you that, in accordance with the instructions conveyed in Mr. Bell’s Memorandum of the 22nd February, 1883, I have effected an exchange of Native Reserves sections 23, 140, and 241, at Motupipi, for section 3 Motupipi, with a view to the latter being given up to the Natives of that place, in compensation for the non-fulfilment of the arrangements formerly entered into between them and Mr. Liggar, relative to Native Reserves there.

I do myself the honor to forward herewith the deed of exchange of the land in question, for the purpose of His Excellency’s consent being incurred therein, in accordance with the seventh section of the Native Reserves Act, 1883.

It was also arranged by Mr. Bell, and personally promised by him to the Natives when at Auckland, that sections 3 and 6 Motupipi, containing 266 acres, and formerly included in Mr. Liggar’s award to the Natives, and section 160, containing 169 acres, reserved by Mr. McLean for Rewiri Watine and his people, the whole of which has been improperly granted to the Governors of Nelson College, should be given up for the use of the Motupipi Natives; and I was instructed to arrange between the College Governors and His Honor the Superintendent for the land being exchanged for some elsewhere.

On applying to the College Governors they expressed a willingness to surrender the land and take other land in exchange for it. The Superintendent also agreed to assist the Governors in the matter. In attempting to carry out the proposition, it was discovered that the College Governors could not dispose of the land. In order to overcome the former difficulty, an Act was passed in the last Session of the General Assembly to enable the Governors of Nelson College to sell or exchange lands held in trust by them.

It is now proposed to buy the interests of the College Governors in sections 5, 6, and 160 at Motupipi, and that they should invest the money in the purchase of land elsewhere.

The Superintendent of Nelson lately placed a sum of money on the Estimates to enable him to purchase certain lands from the College Governors, but the Provincial Council have refused to sanction the expenditure. There is therefore no probability of the question being arranged by the Provincial Government, and it will now be necessary for the General Government to purchase 428 acres of land from the College Governors, in order to keep fair with the Natives. The land in question is worth about £2 per acre.

I have, &c.,

JAMES MACKAY, JUNE,
Assistant Native Secretary.
MAP OF THE LAND AT

 Motupipi

James Mackay Jun.
Ass't Native Secretary
July 14th 64

Pink (-----) Shows Land granted to College Governors:
Green (---) Native Reserve as Surveyed
Red (-----) Mr. Thorp's Section given in exchange for land Motueka
Yellow (-----) Boundary of Block as arranged by Mr. Lugar

NOTE. Pink is shown on this Plan thus -----

Green ---
Red ----- d---
Yellow --- d---

Scale 20 chains to one inch.
No. 4.

Mr. Mantsell to the Superintendent of Nelson.

Sir,—

I have the honor to forward to your Honor copies of a letter from Mr. James Mackay, Assistant Native Secretary, and of a Memorandum by Mr. Bell, relating to an arrangement for the purchase from the Governors of Nelson College of some sections at Motupipi, granted to them apparently in ignorance of engagements previously entered into with the resident Natives for the delivery to the latter of the sections in question.

The sections granted are those numbered 5, 6, and 180, at Motupipi, containing 425 acres, valued by Mr. Mackay at $2 per acre. Regarding the engagements with the Natives as contracts affecting the Crown lands of the Province of Nelson at the time the proceeds of such lands were made Provincial Reserves, the Government consider that the cost of repurchasing the above-named sections in order to fulfill those engagements properly falls upon the land revenue of the Province. The Government proposes to pay the Governors of the College the sum agreed upon, and charge it against the Nelson Land Fund; the money so paid to be reinvested in the purchase of other portions of Crown lands in the Province of Nelson.

Your Honor would oblige the Government by furnishing them with your views upon the proposal.

I have, &c.,

WALTER MANTSELL
(for the Colonial Secretary).

No. 5.

Mr. Alexander Mackay to the Native Secretary.

Sir,—

I have the honor to request that I may be instructed as to which will be the best mode of procedure to adopt with a view to invest the Natives of Motupipi, Golden Bay, with the legal possession of three sections of land situated in that locality, and numbered respectively Nos. 5, 6, and 100 on the plan of the said district. The aforesaid sections have been recently purchased by the Government from the Trustees of the Nelson College, in order that the land contained therein should be given up to the aforesaid Natives in fulfillment of a promise made to them personally, in February, 1869, by Mr. Bell, the late Native Minister. A question has however arisen as to the proper mode of investing the Natives with the legal possession of the land in question: as to whether the land ought to be conveyed first by the College Governors to the Crown at the nominal purchaser, and for the Crown then to convey the land to a trustee for the benefit of the Natives entitled to share in it, or whether, in order to facilitate matters and save unnecessary expense, the legal estate could, with the sanction of the Crown, be conveyed by the College Governors direct to the Natives. It is presumed, if this course is adopted, that one deed would suffice, provided the whole transaction was set forth in it.

Mr. Pryor, the Solicitor to the College Governors, declines to convey the aforesaid land otherwise than to the Crown, excepting under special instructions from His Excellency's Government. I would therefore, under the circumstances of the case, beg respectfully to request that I should be instructed how to proceed in the matter.

I have, &c.,

ALEXANDER MACKAY,
Native Commissioner.

No. 6.

Memorandum on the above by Secretary for Crown Lands.

I think the simplest and best way will be for the College Governors to convey the land to the Crown, showing in the recital that the land has been purchased for the benefit of the Natives. The Crown can then grant it to the Natives concerned, under "The Crown Grants Act, 1862." Mr. Mackay should be instructed to ascertain the names of the Natives for whose benefit this land is bought (they, I think, would not be very many), and then the names of those among them whom the rest would wish to have made trustees for them. The power of sale of the land, if desired, might be withheld in the grant.

13th August, 1869.

A. DOMERY,
Secretary for Crown Lands.

No. 7.

Mr. Alexander Mackay to Under Secretary, Native Department.

Sir,—

I have the honor to forward herewith a concurrence of sections 5, 6, and 160, at Motupipi, from the College Governors at Nelson to His Majesty the Queen, in order that the said land may be vested in certain Natives residing at Motupipi, in fulfillment of a promise made to that effect in the year 1868.

With reference to the original proposal that the Crown should invest this land in the hands of trustees to be chosen from among the Natives for whose benefit it has been restored to the Crown, I would beg to recommend instead, as a means of preventing jealousy and quarrelling among those whom it is proposed to benefit, that the land should be subdivided, and individual Crown Grants, withholding the power of sale, should be issued to each of the persons interested, under the provisions of "The Crown Grants Act, 1862," and for this purpose I would beg to propose that a sub-divisional survey should
be made of the land in question. This would not occupy very long; and if Crown Grants were issued as suggested, it would give much greater satisfaction to all concerned than merely granting the land intact to one or more of their number as trustees for the whole.

Should the Government see no objection to the above suggestion, I could put the work in hand at once. There would, however, be one difficulty in the way of making a uniform survey of Nos. 6 and 8, owing to the intervention of these sections by Native Reserves I, J, and K. The Native title over these reserves has never been extinguished, and in the event of its being found necessary, for the sake of uniformity and for other causes, to carry the boundary lines through these lands, the title being still in the Natives would preclude the possibility of including such portions of any of the allotments forming part of such reserves in a grant of portions 5 and 6. I presume, however, that the difficulty could be overcome by obtaining the consent of the Native owners of reserves I, J, and K, whose interests are identical with those in whom it is proposed to vest sections 5 and 6, to bring these lands under the operation of "The Native Reserves Act, 1858," and, on this being effected, reserves I and J, and sections 5 and 6, could all be dealt with as one block.

It will be observed by the plan in the margin of the conveyance, that it would be very awkward to deal separately with either of the blocks, owing to the peculiar shape of the aforesaid reserves, and, for the sake of convenience, it would be advisable if the whole could be dealt with as one block; moreover it would prevent complications in future if the whole could be treated alike, and save the Natives the necessity of having ultimately to take their claims to I, J, and K to the Native Lands Court to procure a title.

Should the Government nevertheless deem it advisable to adhere to the first intention—that of granting the land to trustees only—I would beg to submit the names of Ernere Withers To Raukitoe, pineapple, Mateaga, and Rama To Matasa, as trustees for sections 5 and 6, and those of Eswiri Wadu, Mutu To Marakitor, and Hina Rawiri, as trustees for section 160.

Waiting your instructions,

I have the honor, &c.,

A. Mackay,

Native Commissioner.

Tho Under Secretary, Native Department.

Enclosure in No. 7.

DEED OF CONVEYANCE of Sections 5 and 6 and 160, in the District of Takanini, by the College Governors to Her Majesty the Queen, for Native purposes.

This deed, made the first day of February, in the year of our Lord one thousand eight hundred and seventy, between the Governors of Nelson College, incorporated under and by virtue of an Act of the General Assembly of New Zealand, passed in the Session held in the eighteenth and nineteenth years of the reign of Her present Majesty, intitled "An Act to incorporate the Governors of Nelson College," of the one part, and Her Most Gracious Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, of the other part: Whereas the said Governors are seized of, or otherwise well and sufficiently entitled to the piece or parcel of land hereinafter described: And whereas the said lands have been for some time past occupied by certain Natives of New Zealand: And whereas it has been agreed to exchange the said lands for certain waste lands of the Crown situated in the district of Awarua, which have already been granted to the said Governors, in order that the said lands hereinafter described may be reserved for the benefit of the Natives: Now this deed witnesseth, that in pursuance of the said agreement, and for the purposes aforesaid, the said Governors of Nelson College do by these presents convey and assure unto Her said Majesty Queen Victoria, her successors and assigns, all that piece or parcel of land situate in the district of Masaccra Bay, in the Province of Nelson, in New Zealand, being sections numbered 5 and 6 of the plan of the said district, containing two hundred and sixty-five acres, more or less; bounded towards the South-east by sections numbered 9 and 10 on the said plan; towards the North-west by section numbered 7 on the said plan; on the North-east partly by a Native Reserve and partly by the Motupu River; and on the South-east by the Motupu River; and also all that other piece or parcel of land situate in the district of Masaccra Bay aforesaid, containing one hundred and thirty acres, more or less, bounded on the North-west by sections numbered 102 and 168 on the said plan; and on the South-east by sections numbered 160 on the plan of the said district; bounded towards the North-east by a reserve for hospitals and lunatic asylums; towards the East by Crown land; towards the South-west by sections numbered 102 and 168 on the said plan; and on the North-west by a road; together with the appurtenances thereunto belonging or appertaining, and which said piece or parcel of land are more particularly delineated and described on the plan drawn in the margin of these presents, and thereon coloured pink, to hold the said piece or parcel of land herebybefore described, with the appurtenances, unto Her said Majesty Queen Victoria, her successors and assigns for ever.

In witness whereof the said Governors have caused their common seal to be hereunto affixed, the day and year first above written. [i.e.]

The common seal affixed in the presence of Robert Pollock, secretary to the Council of Governors.

No. 8.

The Assistant Under Secretary to Mr. A. Mackay.

Sir,—

I have the honor, by direction of Mr. Giabome, to acknowledge the receipt of your letter No. 115, of 24th March, transmitting a conveyance of sections 5, 6, and 160, at Motupu, from the College Governors at Nelson to Her Majesty the Queen, in order that the said land may be vested in certain Natives residing at Motupu; also original correspondence on the subject.

In reply, I am to state that your proposal to obtain the assent of the Natives owning Reserves I, J, and K, to bring these lands under the operation of "The Native Reserves Act, 1858," is approved,
and you are authorized to get the survey of the land made as suggested; the sections obtained from the College should then be subdivided, appropriated, and granted to individual Natives, under restrictions, and under the provisions of "The Crown Grants Act, 1862."

You are requested to ascertain very carefully and accurately the names, ages, and conditions of the individuals who at the time were to participate in the gift from the Crown,—if females, whether they were married; also whether any, and if so which, have died, and who are their representatives. It should also be ascertained whether it was the intention of the Crown to grant the land to the Natives without restriction or alienation, or whether it was simply for themselves to cultivate or to have rights of ownership.

I have, &c.,

Alexander Mackay, Esq.,
Native Commissioner, Nelson.

H. H. Hays,
Assistant Under Secretary.

No. 9.

Mr. ALEXANDER MACKAY to the ASSISTANT UNDER SECRETARY

Six,—

I have the honour to inform you that, in accordance with the instructions contained in your letter No. 85, of 4th May, I have obtained the consent of the Natives owning Native Reserves 2, 1, and K, at Motupohi, Golden Bay, to bring these lands under the operation of "The Native Reserves Act, 1866," and beg to enclose herewith the report for adoption.

The sections acquired from the College Governors have been resurveyed and subdivided into individual allotments, a report on which, including a list of the Natives to whom it is proposed the grants should be issued in favour of, will form the subject of another letter.

I have, &c.,

The Under Secretary, Native Department,
Wellington.

ALEXANDER MACKAY,
Commissioner.

No. 10.

COPY OF ORDER IN COUNCIL bringing certain Native Reserves at Takaka, in the Province of Nelson, under the provisions of "The Native Reserves Act, 1866."

G. F. BOWEN, Governor.

ORDER IN COUNCIL

At the Government House at Wellington, the thirty-first day of August, 1870.

Present:—His Excellency the Governor in Council.

WHEREAS by an Act of the General Assembly of New Zealand, entitled "The Native Reserves Amendment Act, 1862," it is amongst other things provided, that where under the provisions of the Native Reserves Act, 1858, the assessment of the aboriginal inhabitants is required to bring them under the operation of the said "Native Reserves Act, 1858," the Governor may, by Order in Council, declare such assessment to have been ascertained, and thereupon the title of the aboriginal inhabitants in the land to which the same shall relate shall be deemed to be extinguished, and the land shall, from the date of such Order in Council, vest in Her Majesty for the purposes and subject to the provisions of the said "Native Reserves Act, 1858," as at present by the said Act, and that as effectually as if the same had been assessed and conveyed by such aboriginal inhabitants to Her Majesty.

Now therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, doth hereby declare that the assessment of the aboriginal inhabitants to the bringing the pieces of land described in the Schedule herewith written under the operation of "The Native Reserves Act, 1866," has been ascertained.

SCHEDULE.

All that piece of land situate at Takaka, in the Province of Nelson, and known as a portion of a Native Reserve marked L on the plan of the said district, bounded towards the North by a creek which intersects the said reserve; towards the East partly by section 14, and partly by a road; towards the South by section 16, and towards the West also by a portion of section 16, on the plan of the district of Takaka.

All that piece of land situate at Takaka, in the Province of Nelson, and known as Native Reserve marked I, J, and K, on the plan of the said district, bounded towards the North by a portion of section 4; towards the East partly by section 4, partly by a road, and partly by a portion of section 5; towards the South by a portion of section 5; and towards the West partly by section 6, partly by a portion of section 7, partly by a road, and partly by a portion of section 8, on the plan of the said district.
MACKAY, Alexander, 1833-1909, comp.

A Compendium of Official Documents Relative to Native Affairs in the South Island

Volume 1

Wellington, Government Printer, 1873

A microfiche re-publication

Published by

THE ALEXANDER TURNBULL LIBRARY
WELLINGTON, 1990
NOTE: There is a separate index for each volume.

Volume I contains three parts before the major text, parts 1 and 2 and the major text each being paginated from page 1. The parts are shown in parentheses before the page number.

Crown Lands Office Record numbers are listed under C.I.O. in the Index to Volume 1 at the beginning of the C sequence.

MAORI PERSONAL NAMES: References to other forms of one name have been given where likely to give the user other possible leads, however it cannot be guaranteed that these are the same persons. It is necessary to search the index well, as names have been interpreted sometimes in several spellings. It is also essential to keep in mind the fact that Maori called themselves by different names.

The fullest Maori name is used as the reference, although all variations are entered. Maori are indexed by first name, for example:

TEONE KIHU

A reference is also given from second names, for example:

RANIERA MATENGA
MATENGA, RANIERA see RANIERA MATENGA

"TE": Names are indexed using the prefix "Te". A reference is given when the name is also used without "Te", for example:

TE TAUMUTU see also TAUMUTU
TE TEIRA TURAKINA
TEIRA TURAKINA
TURAKINA, TE TEIRA/TEIRA see TE TEIRA/TEIRA TURAKINA

Where name repetitions do not fit into the index format, brackets are used, for example:

MAKE MOKOMOKO
MAKARINI MOKOMOKO
MOKOMOKO, MAKA/(TE) MAKARINI see MAKA/(TE) MAKARINI MOKOMOKO
TE MAKARINI MOKOMOKO.

A reference is sometimes given from third or more names if those names also appear as a name, for example:

HOANI TOPI PATUKI see also HONE/HONI PATUKI/TEONE/TIONE/TOPI PATUKI
HONE TOPI PATUKI
HONI TOPI PATUKI
PATUKI
TE ONE TOPI PATUKI
TEONE TOPI PATUKI
TIONI TOPI PATUKI
TOPI, JOHN
TOPI, PATUKI
Where Maori have European surnames, they are indexed by surname only, for example:

WHITE, KORAKO

Where Maori have European first names they are indexed by their Maori name, for example:

TE UKI, JOHN

Where a name is listed more than once on any page, as with persons granted land in more than one area, the name and page number is generally listed only once.

EUROPEAN NAMES: Names are often entered in several ways, according to the manner presented in the text, therefore all listings of any one surname should be perused, e.g.:

MANTELL, COMMISSIONER
MANTELL, MR
MANTELL, W.
MANTELL, W. B.
MANTELL, W. B. D.
MANTELL, WALTER

CHRONOLOGY: A chronology precedes the alphabetical index, compiled from abstracts and schedules listed in the volumes. Dates are entered year/month/day.

CHRONOLOGY - VOLUME 1

NB: Dates are entered year/month/day

1787 - appointment of Governor, NSW 20.
1814 11/09 - NZ, a dependency of NSW 20.
1823 - jurisdiction of NSW to NZ 20.
1832 06/ - British Bill; crime in NZ 22.
1832 06/14 - Busby despatched to NZ 22.
1833 04/13 - NZ seen as a foreign country 22.
1835 10/ - Declaration of Independence 20.
1837 12/29 - establishment of colony 9.
1837 12/30 - modified plan of colonization 10.
1838 - French purchase of Banks Pen. 87.
1838 02/05 - Charter declined to NZ Assoc. 11; Parliamentary Bill proposed 11.
1838 12/12 - British Consul proposed for NZ 11.
1839 05/ - NZ Co. instructs Wakefield 49.
1839 07/19 - funds granted for Brit. Consul 12.
1839 08/ - Hobson requests explanation of instructions 17.
1839 08/14 - Instructions for Hobson as Consul 13.
1839 08/15 - Explanation of Hobson's instructions 18.
1839 10/25 - NZ Co.'s second deed of purchase incl. Nelson District 64.
1839 11/07 - The question of British sovereignty in N.Z. 19.
1839 11/08 - Third deed of purchase, NZ Co. 65; second deed, Nelson purchase 55.
1840 01/14 - land purchases after, invalid 88.
1840 01/30 - Colony of NSW extended to comprehend N.Z. 22, Proclamation re. land titles and claims 23.
1840 02/06 - Copy of Treaty of Waitangi 23.
1840 02/20 - Hobson's report on N.Z. conditions 24; NZ Co. concerned with French 27.
1840 03/18 - sovereignty of NZ discussed 21.
1840 05/21 - British sovereignty proclaimed 26; sovereignty proclaimed, Hobson 27.
1840 06/30 - Proclamation of Hobson: land 23.
1840 08/ - sale of land to French, Akaroa 76.
1840 08/15 - L'Aube arrives, Akaroa 27.
1840 08/16 - Comte de Paris arrives Akaroa 27.
1840 10/18 - Britomart, arrives Akaroa 27.
1840 10/22 - NZ Co. request for Govt. recognition 37.
1840 10/29 - interim reply to NZ Co. 38.
1840 11/16 - extract from Charter of Colony 38.
1840 11/18 - draft agreement with NZ Co. 38.
1840 11/19 - NZ Co. accepts Brit. agreement 40.
1840 11/21 - Commissioner from England to investigate land claims 40.
1840 12/02 - colonisation proposals, NZ Co. 41.
1840 12/05 - Royal instructions to Hobson 35.
1840 12/18 - NZ Co. & Brit. Govt agreement 38.
1841 01/11 - draft Charter of Incorp.,NZCo. 42.
1841 01/20 - redraft Charter of Inc., NZ Co 42.
1841 01/28 - Instructions regarding Natives 35.
1841 02/12 - Charter of Incorp. of NZCo. 42.
1841 05/03 - Governor & Council appointed 36; NZ estab. as separate colony 37.
1842 07/28 - report on French at Akaroa 75.
1843 04/26 - Rauparaha examined, Nelson 55; Rauparaha examined, Wairau 59.
1843 08/04 - Supplemental Charter NZ Co. 48.
1843 09/21 - Godfrey's report, French claim 76.
1843 10/21 - Byrne claim, withdrawn 82.
1843 12/21 - Bruce claim 83; Green claim 82; Jeffrey claim fails 84; John Jones claim succeeds 84.
1844 - payment by Wakefield, Nelson 5.
1844 02/27 - instructions to Symonds, Otago 95, 96.
1844 03/27 - settlement, Middle Island 96.
1844 04/03 - Symonds bound for New Munster 96.
1844 05/23 - Symonds' plans thwarted 97.
1844 07/11 - Symonds' reasons for return to Wellington 101.
1844 07/29 - Otakou block to be selected 104.

1844 07/31 - Deed of Sale, Otakou, Otago 3; 104; map facing 104; Otakou deed, Maori/English 104.

1844 08/14 - Deed of Release by Natives of Motueka 67; Natives of Wakapuaka 67, Ngatiawa Natives 68.

1844 08/19 - NZ Co. claim investigated 60; Ngapiko’s receipt, Nelson land 68.

1844 08/24 - Deed of Sale, NZ Co., Motueka 67; Deed of Sale, Ngatiawa 68; Deed of Sale, Whakapuaka 67.

1844 09/02 - Otakou purchase succeeds 102.

1844 09/07 - Clarke accepts NZ Co. claim 63.

1844 12/21 - J. Hughes claim fails 84.

1844 12/27 - Jones claim reviewed, granted 88.

1844 12/30 - Brady claim granted 82; 89; Bruce & Clarke claim granted 89; Bruce claim granted 89; Catlin claim granted 89; Hurst claim granted 83; Joss claim granted 87.

1845 02/15 - Joss claim granted 87; Moore claim granted 85; Murphy claim granted 87; P. Williams claim granted 86; Spencer claim granted 85; Sterling claim granted 87.

1845 03/31 - Spain’s report on NZ Co.’s Nelson claim 54.

1845 07/07 - report on Nanto-Bordelaise 77.

1845 07/29 - Crown Grant of Nelson, NZ Co. 68.

1845 10/- - Massacre Bay Natives paid 63.

1845 12/18 - McCleverty to aid NZ Co. 70.

1846 02/26 - NZ Co. given right to buy land 105.

1846 02/28 - NZ Co. despatch to Brit. Govt 69.

1846 03/21 - Gladstone informs Grey, Nelson 69.

1846 04/14 - Govt. grant to NZ Co., Otago 105.

1846 09/14 - despatch from Governor Grey 71.

1847 03/08 - Wairau district 202.

1847 03/18 - Deed of Cession, Wairau 204; Wairau Deed in Maori 204; Wairau purchase 3.
1847 03/26 - Waitau district acquisition 201.

1848 04/08 - Ngaitahu Block, Kemp 208.

1848 04/18 - Waitau purchase 3.

1848 06/12 - Kemp’s Deed of Sale Middle Island (in Canterbury and Otago) 210; map opp. 210; Kemp Purchase 3; Translation DOSale Middle Island 207.

1848 06/19 - Kemp’s Report re. Middle Island purchase 209.

1848 06/20 - Kemp’s Report re. Middle Island purchase (cont’d) 209.

1848 06/21 - Kemp’s Report re. arrangements for payment purchase, Middle Island 209.

1848 08/25 - Native disposal land Middle Island 208.

1848 09/21 - Native Reserves Kaiapoi etc. 207; Ngaitahu, re Ngatitoa cession 214.

1848 11/08 - Reserves Te Taumutu, Te Umukaha and Caroline Bay 215.

1848 11/11 - French claim under scrutiny 78.

1848 11/30 - review Nanto-Bordelaise claim’79.

1848 12/19 - Nanto-Bordelaise Co. claim 79; 80.

1848 12/23 - Reserves at Kakaunui, Moeraki, Waikouaiti 215; Reserves, payment 215.

1848 12/30 - Waitohi agreement 264.

1849 01/13 - delay in payment for reserves 216.

1849 01/30 - Report by Mantell on claims 216.

1849 02/01 - Waitohi, NZ Co, Nelson 263.

1849 02/10 - Ngaitahu Block purchase 212.

1849 02/13 - Payment to Ngaitahu 221.

1849 02/14 - Mantell’s remuneration 221.

1849 02/22 - Receipt for purchase money Ngaitahu Block 211.

1849 02/26 - Eyre to Fox, Middle Is purchase 222.

1849 03/10 - Ngaitahu purchase 213.

1849 03/26 - Ngaitahu Block,212; Ngaitahu Purchase finalised 222
1849 03/27 - Waitohi purchase 264
1849 04/07 - Waitohi purchase 264.
1849 04/09 - Port Cooper, Mr Thomas 250.
1849 04/10 - Receipt Wairau purchase 201.
1849 04/12 - awaiting opinion of Bishop re. Port Cooper 251.
1849 04/19 - Wairau purchase 3; third payment 205.
1849 04/20 - Nanto-Bordelaise, Canty Assoc. 252; Thomas report, Port Cooper 251.
1849 05/05 - Canterbury Assoc. Settlement 249.
1849 05/15 - site Canterbury Settlement (Port Cooper) 245.
1849 05/27 - Waitohi purchase 263.
1849 05/28 - Mantell on geology Middle Island 223.
1849 06/09 - Banks Peninsula Native claim 252.
1849 06/12 - Banks Pen. Native Reserves 252.
1849 08/04 - Waitohi purchase completed 265.
1849 08/09 - Mantell geological report forwarded to Grey 223.
1849 08/10 - DOSale Ngaitahu at Port Cooper 3; Port Cooper Deed of Purchase 256; Port Cooper payments 258.
1849 09/03 - Banks Peninsula claims 254.
1849 09/05 - Native Reserves Port Levy 254; Ngaitahu purchase 213.
1849 09/15 - Deed of Sale Port Levy 3.
1849 09/18 - Banks Peninsula claims 255; Banks Peninsula claims, funds 254.
1849 09/25 - Mantell geol rep. to Earl Grey 223; Port Levy Deed of Purchase 258.
1849 09/27 - Port Levy Block 255.
1849 10/12 - final settlement of French claim 80.
1849 10/23 - French conveyance to NZ Co. 80.
1849 11/28 - Akaroa, Wairewa Native claims 255.
1849 12/03 - Banks Peninsula claims 256.
1849 12/24 - Tiramorehu on Moeraki Reserve 227.
1849 12/28 - Receipt for purchase Ngaitahu Block 211.
1850 01/24 - Population Kaiapoi, Moeraki 228.
1850 03/04 - DOSale Ngatiawa at Waitohi 3; Deed of purchase & in Maori 266.
1850 05/01 - Copy receipt Wairau purchase 205; Wairau purchase 3.
1850 06/13 - refusal to renegotiate Moeraki Res. 229.
1850 09/24 - Stokes report south Middle Island. 269.
1851 03/13 - Purchase southern Middle Island. 271.
1851 03/14 - Mr Brunner, Wairau boundaries 205; land plan, Tuamarina 3.
1851 04/14 - Purchase southern Middle Island. 272.
1851 04/18 - Wairau purchase 3.
1851 05/31 - West Coast purchase 290.
1851 11/12 - Couper receives compensation 89.
1852 01/03 - Mantell, south Middle Is. 272.
1852 01/05 - Aorece, Nelson, purchase 289; West Coast purchase 290.
1852 02/19 - Reserves Murihiku 273.
1852 02/24 - Murihiku alleged sale 273.
1852 03/26 - Murihiku alleged sale 274.
1852 03/31 - Mantell, southern Otago 274.
1852 05/17 - Murihiku alleged sale 280; Quail Island claims 261.
1852 05/21 - Aorere, Nelson, purchase 290.
1852 06/01 - Quail Island claims 261.
1852 08/24 - Nelson survey, Thomas Brunner 291.
1852 12/09 - Native Reserves, Dunedin 109.
1853 03/09 - Te Maramu on Kakaunui Reserve 235.
1853 04/05 - Kakaumui exchange Moeraki Res. 236.
1853 04/06 - Reserves Te Hakatarama etc. 233.
1853 04/18 - Native Reserves, Dunedin 109.
1853 05/19 - Reserves Te Hakatarama, Waitangi Gorge and lower Waitangi 231.
1853 06/06 - Dunedin Native Reserves approved 110.
1853 08/10 - DOSale Ngatitoa, Waipounamu 3; Deed of Sale, Ngatitoa, Mid.Is 307.
1853 08/17 - DOSale Ngaitahu, Murihiku 4; Murihiku Block Deed of Cession 280;
Murihiku Deed of Sale 285.
1853 08/18 - Murihiku Block negotiations 281; Murihiku Block purchase money 282.
1853 10/03 - Murihiku first instalment 286.
1853 11/07 - Murihiku Deed & maps reserves 283.
1854 01/11 - Dunedin Native Reserves 110.
1854 02/15 - Murihiku Purchase translation 287; Murihiku second instalment 286.
1854 03/02 - DOSale Ngatiawa at Taranaki 4; 308.
1854 03/10 - Deed of Sale Ngatiawa, Nelson 309; Nelson, payment to Ngatiawa 4;
receipt from Ngatiawa, Nelson 293.
1854 05/12 - Murihiku Deed of Purchase 284.
1854 08/17 - Kareta and Otakou Native Reserve 197.
1854 08/18 - Letter from Kareta re. Otakou Native Reserve 197.
1854 09/14 - Nelson purchases 293.
1854 11/03 - Port Chalmers, conveyance of 110.
1854 11/04 - Murihiku final payment 288.
1854 11/16 - payment for land in Queen Charlotte Sound 4; receipt from Ngatiawa,
Nelson 310.
1854 11/24 - payment for Te Awaiti, Queen Charlotte Sound 4; receipt from Ngatiawa, Te Awaiti 310.
1854 11/28 - Murihiku final payment 284.
1854 12/04 - Otago Native Reserves plans 110.
1854 12/13 - Murihiku, additional payment 284; payment Ngatitoa, Middle Is. 4; receipt from Ngatitoa, Middle Is. 311.


1855 01/11 - Reserves Croixelles, Kaituna 294.

1855 02/06 - receipt from Taiaora 4.

1855 06/05 - Dunedin and Port Chalmers Native Reserves plans 111.

1855 06/26 - corporatisation of Dunedin Reserves 111.

1855 08/24 - Dunedin Native Reserves plans 111.

1855 09/15 - Dunedin Native Reserves plans 111.

1855 11/06 - no grants for Reserves at Dunedin & Port Chalmers 112.

1855 11/10 - Deed of Sale Ngatirua etc at Nelson 4.

1855 11/13 - Deed of Sale Ngatitama, Middle Island 312.

1855 11/21 - Dunedin Reserves 112.


1856 01/21 - Dunedin Native Reserves 112.

1856 02/01 - receipt Rangitane at Wairau 4; receipt from Rangitane, Middle Is 313.

1856 02/09 - Deed of Sale Ngatiawa etc. at Waikawa 4; Deed of Sale Ngatiawa, Middle Is. 314.

1856 02/11 - Dunedin Reserves 112.

1856 02/16 - Deed of Sale Ngatikuia at Kaituna 4; Deed of Sale Ngatikuia, Middle Is 315.

1856 03/05 - Deed of Sale Ngatikuata, Nelson 4; 316.

1856 03/06 - Deed of Sale Ngatitama etc. Motupipi 4.

1856 03/07 - Deed of Sale Ngatitama at Aorere 5; Deed of Sale Ngatitama, Ngatirarua 4; Deed of Sale Ngatitama, Ngatirarua 318; Deed of Sale Ngatitama, Nelson 318.

1856 03/08 - Receipt Rei Ngangiho, Queen Charlotte Sound 319; receipt Rei Ngangiho, Queen Charlotte Sound 5.

1856 03/10 - Deed of Sale Ngatitama, Nelson 317.

1856 04/07 - Nelson purchase, final report 300.
1856 04/24 - Middle Island reserves 305.
1856 12/10 - Banks Pen. conveyed to Crown 5.
1857 02/05 - Conveyance Ngaitahu, Kaiapoi 5.
1857 03/06 - Public Reserves, Dunedin 113.
1857 12/12 - receipt Ngaitahu land north of Kaiapoi 5.
1859 03/29 - Conveyance Ngaitahu, Kaikoura 5.
1860 01/06 - receipt Ngaitahu, land north of Kaiapoi 5.
1860 05/21 - Conveyance Ngaitahu West Coast 5.
1861 12/07 - Commissioners, Native Reserves 114.
1862 01/15 - lease of reserves, Dunedin 114.
1862 02/12 - Goldfield Taitapu Reserve 321.
1862 02/13 - leasing of reserves, Dunedin 115.
1862 02/18 - Native Reserves, Dunedin 116.
1862 03/05 - Deed of Cession Taitapu, Nelson 323.
1862 08/12 - Wakapuaka Reserve 333.
1862 09/27 - Taitapu boundaries, errors 323.
1862 11/08 - Wakapuaka Reserve 334.
1862 11/29 - rates levied on Reserves 119.
1863 01/24 - leasing of reserve, Princes St., Dunedin 120.
1863 02/21 - Motupipi Reserves, Nelson 335.
1863 02/22 - Motupipi Reserves, Nelson 336.
1863 02/24 - Taitapu Reserve boundaries 324.
1863 04/16 - Taitapu Gold Field accounts 324.
1863 07/09 - payment Taitapu Gold Field 324.
1863 07/11 - rates levied on Princes St., Dunedin reserve 122.
1863 07/17 - rates levied on Princes St., Dunedin reserve 123.
1863 07/22 - rates levied on Dunedin Native reserve 122.
1863 09/29 - claim from Riawai Turangapeke 326, 327.
1863 12/09 - claim Riawai Turangapeke 326, 327.
1863 12/10 - claim Riawai Turangapeke 327; settlement Riawai Turangapeke 327.
1864 04/01 - scrutiny of Dunedin reserves 123.
1864 04/04 - Objections to Dunedin Native Reserve 123.
1864 06/29 - Deed of Sale Ngaitahu, Stewart's Is. 5.
1864 07/14 - Deed of Exchange, Motupipi 336.
1864 09/15 - Te Koitiua on Pakawau, Te Rae 291.
1864 09/16 - Crown Grants Pakawau, Te Rae 292.
1864 10/24 - Native Reserves, Dunedin 123.
1864 10/26 - Princes St. reserve, Dunedin 124.
1864 11/05 - Native Reserves, Dunedin 125.
1865 01/03 - Native titles to Dunedin reserves 126.
1865 01/17 - Motupipi, Nelson College land 337.
1865 02/15 - leasing of Dunedin Reserve (Princes St.) 126.
1865 03/29 - Govt claims Dunedin (Princes St.) reserve 127.
1865 04/13 - objections to Dunedin (Princes St.) Native reserve 127; 128;
1865 04/20 - Dunedin (Princes St.) Native Reserve 129.
1865 06/03 - Dunedin Native Reserve 130.
1865 06/09 - Dunedin (Princes St.) Native Reserve 130.
1865 06/15 - Dunedin (Princes St.) Native Reserve 132; alterations in leases, Dunedin 131.
1865 06/16 - Dunedin (Princes St.) Native Reserve 132.
1865 06/19 - Dunedin Native Reserves (Port Chalmers & Dunedin) 132.
1865 07/11 - White's Bay, Marlborough 329.
1865 07/13 - Dunedin (Princes St.) Reserve 134.
1865 07/14 - Dunedin (Princes St.) Reserve 134
1865 07/17 - Dunedin reserve (Princes St.) 134.
1865 08/15 - White's Bay Reserve 330.
1865 08/25 - Otago reserves (Dunedin & Port Chalmers) Select Committee 135.
1865 11/20 - Ellesmere (Waihora) drainage 237.
1865 11/21 - Lake Ellesmere drainage 239; Dunedin Reserves 142.
1865 11/22 - Ellesmere (Waihora) drainage 239.
1865 11/30 - Lake Ellesmere drainage 240.
1865 12/05 - Lake Ellesmere drainage 240.
1865 12/13 - Lake Ellesmere drainage 240.
1865 12/19 - Lake Ellesmere drainage 240.
1866 01/29 - Maori Reserve, Princes St., Dunedin 142.
1866 02/01 - Lake Ellesmere drainage 241.
1866 02/13 - Dunedin Reserve (Princes St.) rent 142.
1866 04/12 - Native rights to eel-weirs 241.
1866 04/23 - Lake Ellesmere drainage 242.
1866 06/03 - Te Koro claim Kaitorete 242.
1866 07/23 - Motupipi, Nelson College land 337.
1866 08/13 - Motupipi, Nelson College land 337.
1866 08/18 - Te Koro claim Kaitorete 243.
1866 10/16 - Taiaroa's letter re. Princes St. Reserve, Dunedin 143.
1866 10/30 - Dunedin (Princes St.) Reserve 143.
1866 12/28 - Crown grant, Dunedin 143.
1867 02/- receipt, Tiramorehu, Moeraki 5.
1867 02/16 - Hone Wetere Korako's letter re. Otago Heads 197.
1867 06/18 - Memo re. claims of Kareta, Pilot Station Taiaroa Heads 197.
1867 07/12 - Dunedin (Princes St.) reserve, rents 143.
1867 07/15 - Dunedin (Princes St.) reserve dispute 145.
1867 07/18 - Topi Patuki, legal proceedings 146.
1867 07/23 - Dunedin (Princes St.) reserve, rents 145.
1867 07/24 - Dunedin (Princes St.) reserve, rents 145.
1867 07/25 - Dunedin (Princes St.) reserve, rent 145; Topi Patuki's petition 146.
1867 07/26 - Topi Patuki petitions Mantell 147.
1867 07/27 - Mantell to act for Topi Patuki 147.
1867 08/07 - Dunedin (Princes St) Reserve, writ 147.
1867 08/10 - White's Bay Reserve 330.
1867 08/17 - Topi Patuki petitions Queen 148.
1867 08/19 - Dunedin (Princes St) Reserve suit, costs 149; Topi Patuki, petition to Queen 147.
1867 08/21 - Dunedin (Princes St) Reserve suit, costs 149.
1867 08/22 - Dunedin (Princes St) Reserve suit, costs 150.
1867 08/23 - Dunedin (Princes St) Reserve suit, costs 150.
1867 08/26 - Dunedin (Princes St) Reserve suit, costs 150, 152.
1867 08/27 - Pelichet Bay, Native Reserve 156; Dunedin (Princes St) Reserve suit, costs 156.
1867 08/31 - Pelichet Bay and Dunedin (Princes St.) Native Reserves, 156.
1867 09/03 - Dunedin (Princes St) Reserve, 157.
1867 09/12 - Dunedin (Princes St) Reserve, 157.
1867 10/08 - Topi Patuki, petition to Queen 152.
1867 10/11 - Topi Patuki, petition to Queen 153.
1867 10/23 - Dunedin (Princes St.) Reserve 155.
1867 11/04 - Topi Patuki's petition 155.
1867 11/26 - Dunedin (Princes St.) Reserve, account 158; White's Bay Reserve 330.
1867 11/27 - Mantell to watch the case for the Natives, Dunedin 158.
1867 11/28 - Dunedin (Princes St.) Reserve Fund 158.
1867 12/09 - Ngatimako claim, Kaitorete 243; White's Bay -2 acres for telegraph station 331.
1868 02/10 - Taiaroa Heads natives, claim 198.
1868 03/03 - Waikawa in lieu Hakatarama Reserve 233.
1868 04/02 - Waikawa in lieu Hakatarama approved 233.
1868 04/28 - Native Lands Act 1867, 244.
1868 07/10 - White's Bay adjustment payment 331
1868 07/28 - Dunedin (Princes St.) disputed Reserves 158.
1868 08/17 - Dunedin (Princes St) Reserve 160.
1868 08/20 - Dunedin disputed reserves 159.
1868 08/26 - Report by Select Committee on Dunedin disputed Reserves 172.
1869 11/02-4 - Dunedin (Princes St.) Reserve, Appeal Court 173.
1870 03/24 - Motupipi, conveyance to Crown 337.
1870 05/04 - Motupipi, conveyance to Crown 338.
1870 07/29 - Motupipi Reserves 339.
1870 08/31 - Takaka Reserves, Nelson 339.
1870 11/01 - Reserve at Waikawa 234.
INDEX - VOLUME 1

ABERDEEN, LORD - 22; (1) 4.

ACHERON - 270; 272; 279.

ACHERON BAY - 253.

ACHERON, H.M.S. - 211; 213; 221; 239; 245; 246; 269; 278; (2) 14; (3) 50.

ACTS/BILLS - 178; (2) 21; management of lands (2) 32; see AUSTRALIAN LAND SALES ACT; see CANTERBURY & OTAGO BOUNDARY ACT; see COMMON LAW PROCEDURE ACT; see CONSTITUTION ACT; see COURT OF APPEAL ACT; see CROWN LANDS ACT; see LOANS ACT; see NZ CO. COLONISATION ACT; see N.Z. NATIVE RESERVES ACT; see NATIVE CIRCUIT COURT ACT; see NATIVE DISTRICT REGUL. ACT; see NATIVE LANDS ACT; see NATIVE RESERVES ACT; see NEW ZEALAND GOVT. ACT; see PRIVATE ESTATES BILL; see PROVINCIAL LAWSUITS ACT; see PUBLIC RESERVES ACT; see PUBLIC REVENUES ACT; see ROYAL INSTRUCTIONS; see STATUTE OF FRAUDS; see TERRITORIAL RIGHTS ACT (2) 32; see WASTE LANDS ACT.

ADMARITY BAY - 64; 66.

ADZE - (3) 44; see PAIWHENUA 302.

AGRICULTURE - (1) 10; Mills (2) 33; Te Pehi seeks tools from Eng. (3) 47; cart, plough, oxen, cows 327; cattle 251; 261; 264; 270; 278; 327; crops 275; 276; kumera (3) 41; mahinga kai (2) 23; potatoes (1) 14; (1) 23; pursued by natives (3) 52; see BOWLER, SAMUEL; see also STOCK; sheep 247; 251; sheep-farmers (2) 13; supply of tools to natives (2) 33; wheat 264; (1) 23.

AHIPARA - (3) 38.

AHIRANGI - 266.

AHUARANGI - (3) 42.

AHUPAITIKI - 257.

AHUPATIKI - 256; 258; 259.

AITARAKIHI - 223.

AITIU - 64; 66.

AITKEN, T. & J. - claimants 82.

AKARIPA POHAU - 285; 286.
AKAROA - 3; 58; 76; 77; 78; 79; 83; 87; 92; 93; 207; 209; 210; 211; 212; 213; 214; 215; 216; 218; 219; 221; 222; 223; 238; 239; 242; 249; 251; 252; 254; 255; 255; 281; (1) 9; (1) 24; (2) 4; (2) 13; (2) 15; (2) 16; French and British relations 27; French at, 27; land purchased at, 28; see also HAKAROA, TE HAKAROA; see map 258.

AKIA - 266; 267.

AKUIRIA WHAREHUIA - 316.

ALCOHOL - (2) 26; Sale of Spirits Act 1870 (2) 35; drunkenness 218; intoxication (2) 25; not to be sold to Natives 219; not to be used in land sales (2) 35; prohibited to natives (2) 32; spirit-still 276; supplied to Natives 215.

ALDRED, JOHN - 295.

ALLAN, J.G. - 173.

ALLAN, MR. - 147; 149; 150; 174; 174; 175; 176; 177; 178; 179; 180; 181; 182; 183; 184; 185; 186; 191; 192; 193; 195.

ALLIGATOR - (1) 4; ship 22.

AMERICA - 22.

AMINARAPA - 298; 299; 299.

AMIRIA - 307.

AMIRIA MAHANGA - 316.

AMIRIA NUKU - 316.

AMIRIA TE PIATA - 314.

AMIRITONA - 267.

ANAHAU - 299.

ANAHOU - 66.

ANAKIWA - 5; 66; 298; 298; 319.

ANAKIWA PASS - 302.

ANAKIWI - 297.

ANANGA - 316.

ANAPU - 5; 318.

ANATAKAPU - 306.
ANATIMA - 306.
ANAWAEWAIE - see map 104.
ANEKAKA - 318.
ANETA - signatory 67.
ANI KAIKOURA - 313.
ANNA MARIA - of Aparima 276.
ANUNGA - 317.
AOKANARIKI - 197.
AONUI - 104; see map 104.
AORERE - 5; 289; 293; 296; 297; 305; 306; 309; 318; 318; 322; 326; (3) 50; gold fields 323.
AORERE RIVER - (2) 14.
AOTEA - (3) 37.
APAHUNA, WIKITORIA - see WIKITORIA APAHUNA.
APARIMA - 272; 273; 275; 276; 277; 277; 278; 279; 279; 280; 285; 287; see also JACOB'S RIVER 269; (3) 51.
APARUNA - 116.
APERA - see PUKENUI, APERA.
APERA PUKENUI - 258; 259; 259; 260.
APERAHAMA - 61; 307; 309; 315.
APERAHAMA IRAKI - 67.
APERAHAMA KAIMATAO - 287.
APERAHAMA PUTIKI - 310.
APERAHAMA TAUHE - 309.
APERAHAMA TE AHika - 212.
APERAHAMA TE AIA - 216; 220.
APERAHAMA TE KANI - 308.
APERAHAMA TE PANAKENAKE - 318.
APERAHAMA TE WETA - 319.
APERAHAMA TE WHETA - 325; 326.
APERAHAMA TENGI - 317.
APETARA KAUTANUI - 258.
APETARA KAUTUANUI - 253; 257.
APO, TAHANA - see TAHANA APO.
APOKA - (3) 41; (3) 42.
APORO TOROHANGA - 316.
ARAHURA - 5; 326.
ARAHURA - 4; 4; 273; 274; 275; 280; 303; 309; 311; 312; 313; 326; (3) 39; (3) 44; (3) 45; see also AURHURA; see also POUTINI (2) 16.
ARAJA - 266.
ARAKAKA - 280.
ARAMA TE WHATA KARAKA - 228.
ARANUMU KOPARAURA - 314.
ARAPAQA - 4; 301; (3) 39.
ARAPAWA - 299.
ARAPERE - 266; 267.
ARAPURA ISLANDS - 66.
ARAROU, HAKARAIA - see HAKARAIA ARAROA
ARAWA - (3) 38; (3) 41; see also TE ARAWA (3) 38.
ARCHAEOLOGY - Moa 233; bones of dinornis 224; dinornis 280.
ARCHITECT - see CUDLAND, H.S. 239.
ARIJ - Chief in Massacre Bay area 62.
ARIAHA TAHEKE - 288.
ARMS - acquisition of, Ngapuhi (3) 51; bartered for flax (3) 48; bartered for greenstone (3) 47; not to be used in land sales (2) 35; purchases by Te Rauparaha (3) 46; restriction on sale of (2) 32.
ARNEY, C.J. - 176; 177; 180; 181; 182; 185; 188; 191; 192; 193.
ARNEY, SIR G.A. - 173.

ARNOLD, DR. - (2) 32.

AROPAKI - 279; 279; 280.

AROWHENUA - 216; 220; 251; (2) 23; (2) 34.

ASHLEY RIVER - see also RAKAHUARI (3) 40.

ASHMORE - claimant 88.

ASHMORE, SAMUEL - claimant 88; claimant, Wairau 82.

ASTROLABE ROAD - 294.

ASTROLABE ROADS - (1) 12.

ATE, HOROMONA - see HOROMONA ATE.

ATERATA - 266.

ATKINSON, MAJOR - 160; 161; 164; 166; 168; 169; 170; 171; 172; 173.

ATKINSON, MR. - 162; 163.

ATTORNEY-GENERAL - 110; 126; 134; 134; 136; 147; 151; 155; 161; 164; 169; 171; 172; 173; 241; (1) 7; (1) 21; (2) 4; (2) 9; (2) 11; (2) 35; establishment of Office 29; see SEWELL, HENRY.

AUCKLAND - 186; 301; (1) 7; (1) 13; (1) 14; (1) 15; (1) 16; (1) 17; (1) 18; (1) 23; (2) 8; (2) 24; (2) 34; (2) 35; as capital (1) 11.

AUCKLAND ISLANDS - 270; (3) 47.

AUDITOR-GENERAL - 284.

AURHURA - 220; see also ARAHURA.

AUSTIN, ALBERT D. - 316.

AUSTIN, C. - see map 314.

AUSTRALIA - (1) 17; Barrossa Ranges 223; House of Commons (3) 48; Sydney 231; emigrants from (2) 8.

AUSTRALIAN LAND SALES ACT - 181; (1) 11; (1) 21.

AWAAMOKO - 232.

AWAROA - 279.

AWARUA - 270; 285; 287; 306; (3) 48; The Bluff (3) 49; see also BLUFF 281.
AWATERE - (3) 46; (3) 50.

AWATUIAU - 277.

AWAWAKAMAU - 232.

BACKHOUSE, JOHN - 21.

BACKHOUSE, MR. - 11.

BAKER, CHARLES - (2) 20.

BAKER, MR. - 119.

BALLARD, J.F. - 257.

BANK OF NEW ZEALAND - 158; 159; 160; 163; 165; 166; 167; 173.

BANK'S PENINSULA - (1) 9; (1) 12; (1) 23; (1) 24; (1) 24; (2) 7; (2) 13; (2) 15; (3) 40; (3) 43; (3) 48; claim on 86; see map 258.

BANKING - 120; 126; 127; (1) 16; (2) 3; Saving banks opened (2) 31; Union Bank of Australia 115; 118.

BANKS - see UNION BANK OF AUSTRALIA; see BANK OF NEW ZEALAND; see MCDONALD, A..

BANKS PENINSULA - 5; 28; 58; 76; 78; 87; 88; 89; 91; 92; 93; 96; 209; 214; 224; 243; 245; 247; 249; 250; 251; 252; 253; 254; 255; 258; Nanto-Bordelaise claim 75; sale of, to French 79; see also AKAROA; see also PORT LEVY; see map 254; whaling stations 27.

BANKS' PENINSULA - (2) 4.

BANNISTER, JOHN - 257.

BARING, FRANCIS - 42; (1) 7; (1) 8; to be deputy governor, NZ Co. 44.

BARNICOAT, MR. - 97; 98; 102; 297.

BARON DE THIERRY - see DE THIERRY, BARON

BARRET, R. - 67.

BATEMAN - claimant 87; 2.

BATEMAN, THOS. - claimant 89.

BATES, JAMES - 276.

BATES, JOHN - 276.

BATES, LYDIA - 276.
BATES, MARY-ANNE - 276.
BATES, NAT. - children of, claimants 93.
BATES, NATHANIAL - 276.
BATES, WILLIAM - 276.
BATKIN, C.T. - 160.
BATKIN, MR. - 159; 161.
BAY OF ISLANDS - 21; 28; 51; 306; (1) 2; (1) 4; (1) 4; (1) 5; (1) 6; (1) 7; (1) 11; (1) 14; (1) 17; (1) 18; (1) 26; (2) 7; (2) 8; (2) 18; (2) 35; (3) 38; (3) 46; see also MARSDEN, REV. SAMUEL (1) 3; see also RUSSELL 26.
BEAGLE - ship (1) 14.
BEALEY, S. - 240.
BEAVER - 270.
BELIGNY, M. - 78; see also BELLIGNY/DE BELIGNY.
BELIGNY, MONS. - 87.
BELL, COMMISSIONER - (2) 5; (2) 17.
BELL, DILLON - 123; 124; 145; 162; 172; (2) 14.
BELL, F.D. - 123; 263; 267; 336.
BELL, MR. - 151; 264; 265; 266; 267; 337.
BELLAIRS, E.H.W. - 286; 286.
BELIGNY, M. - 80; see also DE BELIGNY
BELIGNY, MR - 250; French botanist, Akaroa 27.
BERARD, MOUNT - see map 254.
BETSY - of Aparima 276.
BIG WOOD - (2) 3; at Motueka (2) 30; see OTAPAWA RIVER.
BILLS - see ACTS/BILLS.
BILLY - see TAHEA.
BIRD HUNTING - (2) 17; (3) 45.
BISHOP - 250; 251.
BISHOP OF NEW ZEALAND - 249; (1) 24.
BLACK, JOHN - claimant 89.
BLACKBorough, MR. - 296.
BLACKett, JAMES - claimant 93.
BLACKSMITH - see DUNEDIN.
BLACKWOOD - 232.
BLENHEIM - 331.
BLENKINSOP, CAPTAIN - (1) 13.
BLIGHT SOUND - (3) 50.
BLIND BAY - 59; 66; 83; 83; 89; 290; 294; 295; (1) 12; (3) 39; (3) 50; alleged sale to Wakefield 58.
BLIND RIVER - see OTUWHERO (3) 50.
BLOODY JACK - see also TUHAWAHIKI/TUHAWHAHIKI (2) 21.
BLOOMFIELD HARBOUR - 273.
BLUESKIN BAY - 225.
BLUFF - 82; 85; 86; 87; 90; 90; 91; 91; 92; 269; 270; 280; 280; 282; 283; see also AWARUA 281.
BLUFF HARBOUR - 84; 85; 87; 88; 89; 91; 93; 269; Islet at 91.
BLUFF RIVER - 84; 86.
BLUFF, THE - see AWARUA (3) 49.
BLYTHE BAY - 279.
BOATS - 275
BORDEAUX - 136; 144.
BOSTON, J. - 288.
BOULCOTTS - (1) 19.
BOURDEAUX - (2) 4.
BOURKE, GENERAL - 22.
BOURKE, R., SIR - 11; 22.
BOURKE, RICHARD, SIR - (1) 3; (1) 4.
BOWDEN, MR. - 299.
BOWEN, G.F. - Governor 339.
BOWLER, SAMUEL - sheep farmer 329.
BRADSHAW, J.B. - 144.
BRADY - claimant 82.
BRADY, EDWARD - 89; (2) 17.
BRIDGE, MR. - 203.
BRIDGE, W. - surveyor 313.
BRIDGES, J. - 158.
BRIND'S BAY - (1) 5.
BRINN'S POINT - 224.
BRITAIN - British Government (1) 8; authority in N.Z. (1) 3; exploration by (1) 2; see also HOUSE OF COMMONS (1) 7; see also HOUSE OF LORDS.
BRITANNIA - settlement (1) 9.
BRITISH CONSUL - appointment of, for colony 12.
BRITISH CONSULATE - (1) 5.
BRITISH GOVERNMENT - (1) 17.
BRITISH RESIDENT AT NZ - appointment of 12.
BRITISH TREASURY - accepts sovereignty of tribes 20.
BROMOMART, HMS - 28; arrives at Akaroa 27; (1) 9; (1) 10.
BRITTAN, WILLIAM GUISE - 240.
BROADLEAF - 280.
BROOK - 59; interpreter 58.
BROWN - 90; claimant 89; claimant 93.
BROWN, JAMES - 103.
BROWN, JOSEPH - claimant 89.
BROWNE - claimant 82.

BROWNE, GORE, COLONEL - 301; (1) 26; (1) 27.

BROWNE, GOVERNOR - 289; 291; (2) 19; (2) 24; (2) 32; (2) 33.

BRUCE - claimant 89.

BRUCE, J. - 86.

BRUCE, JAMES - 84; 89; 210; 238; claimant 83.

BRUNNER, MR. - 3; 80; 201; 205; 206; 245; 297; 299; 301; 304; 305; 306; 306; (2) 14; (2) 29; Surveyor 291.

BRUNNER, T. - 206; 289.

BRUNNER, THOMAS/THOS. - 205; 291; 293; 294; 312; 317; see map 320; see map 2 206.

BUCHANAN, A. - 144.

BUCKINGHAM PALACE - 35.

BUDGE, MR. - 306.

BUILDINGS - houses, out houses 276.

BULL, T. - 210; 238.

BULLER - (3) 45.

BULLER DISTRICT - (3) 44.

BULLER RIVER - see also KAWATIRI (3) 45.

BULLER VALLEY - (3) 45.

BULLER, W. - (2) 23.

BUNBURY, MAJOR - (2) 2.

BURIAL PLACES - see RESERVES.

BURN, JOSEPH - 82.

BURNS, A.J. - 144.

BURNS, MR. - 138.

BURNS, REV. - 136; 137; 138; 141.

BURNS, REV. DR. - 130; 139.
BURNS, REV. T. - 140; (enclosure 1) 110.
BURNS, REV. THOMAS - 113.
BUSBY, MR - 22.
BUSBY, MR. - (1) 3; (1) 4; (1) 7; (1) 7.
BUTT, HENRY F. - 68; 267; Curate, Nelson deed signatory 67.
BUTT, MR - 62.
BYRNE, PATRICK - claimant 82; claimant 88.
C.L.O. - Crown Lands Office Record Numbers
C.L.O. 18 - Canterbury & Otago (Kemp Purchase) 3.
C.L.O. 19 - Kemp Purchase 3.
C.L.O. 21 - Port Levy 3.
C.L.O. 137 - Banks Pen., Ngaitahu 5.
C.L.O. 143 - North of Kaiapoi, Ngaitahu 5.
C.L.O. 228 - payment for north of Kaiapoi lands 5.
C.L.O. 273 - Ngaitahu & Ngatimamoe 5; deed, Stewart Isl. 5.
C.L.O. 395 - Omata & Te Pou-o-te-Atuparoa 4; Otago Heads Reserve 4; an advance to Tairaoa, Otago 4.
C.L.O. 503 - Wairau 3
C.L.O. 505 - Wairau 3
C.L.O. 509 - Waipounamu 3.
C.L.O. 510 - Dunedin 4; Murihiku 4.
C.L.O. 512 - Arapaoa 3; Ngatiawa 4; Queen Charlotte Sound 4; Wairau 4; Waitohi 4.
C.L.O. 513 - Nelson, Ngatiawa 4; Ngatiawa 4.
C.L.O. 514 - Gore's Harbour & Totaranui 4; Queen Charlotte Sound 4; Tamati Wiremu Kingi 4.
C.L.O. 515 - Taranaki, Ngatiawa 4; Te Awaiti, Queen Charlotte Sound 4.
C.L.O. 516 - payment to Ngatitoa, Middle Is. 4.
C.L.O. 530 - Ngatirahiri 4; Waikawa, Q.C.S., Ngatiawa 4.
C.L.O. 531 - Kaituna & Hoire, Ngatikuia 4.
C.L.O. 534 - Aorere, Ngatitama 5.
C.L.O. 535 - Ngatirarua 4; Separation Point, Ngatitama 4.
C.L.O. 536 - Anakiwa, Ngatirahiri 5; Rei Nganiho 5.
C.L.O. 562 - Kaikoura, Ngaitahu 5.
C.L.O. 595 - Arahura, Ngaitahu 5.
C.L.O. 630 - Ngatiawa 3; Waitah 3.
C.L.O. 631 - Tuamarina 3.
C.L.O. 647 - Port Cooper, Canterbury 3.
C.L.O. 653 - Ngatitoa 4; Wairau 3.
CABBAGE BEACH - see also ONAMARU 299.
CAFFLERS - see also CAFLERS, CAFLER 87.
CAFLER, E.F. - claimant 92.
CAFLERS - claimant 92.
CAFLERS, E.F. - 86.
CAIRNS, ALEX. - 131.
Caldwell, MR. - 296.
CALLIOPE, H.M.S. - (1) 22; ship (1) 20.
CAMBRIDGE UNIVERSITY - (2) 18.
CAMPBELL - 86; 90; claimant 89; 93.
CAMPBELL TOWN - 5.
CAMPBELL, ALEXANDER - 309.
CAMPBELL, JOHN - claimant 87; 92.
CAMPBELL, MAJOR - (1) 11.
CAMPBELL, ROBERT - 144.
CANNIBALISM - 15; 18; 19; 32.
CANOES - 275.
CANTERBURY & OTAHO BOUNDARY ACT - (1) 25.
CANTERBURY - 3; 5; 79; 116; 117; 171; 185; 190; 231; 240; 243; 245; 249; 300; (1) 23; (1) 25; (1) 26; (2) 20; (2) 23; (2) 24; (2) 28; Maori of (2) 27; Superintendent 241; 242; native population of (2) 26; native reserves (2) 31; see also KATIPERE 180; see map 234.
CANTERBURY ASSOCIATION - 171; 179; 185; 186; 189; 249; 250; 252; 256; 261; (1) 24; (2) 13; (2) 15.
CANTERBURY PLAINS - forests of (3) 40.
CANTERBURY SETTLEMENT - 251; 252.
CANTERBURY SETTLEMENT ACT - (2) 16.
CAPE CAMPBELL - (1) 10; (3) 41; (3) 50; see KAIPARATEHUA (TE KARAKA); see map 1 206.
CAPE COLVILLE - (1) 24; (3) 37.
CAPE FAREWELL - 66; 83; 89; 289; 290; (1) 2; (1) 10; (2) 14; Onetana 64.
CAPE FOULWIND - 280.
CAPE HORN - (3) 48.
CAPE JACKSON - 93.
CAPE KIDNAPPER(S) - (1) 2; (2) 9.
CAPE MARIA VAN DIEMAN - (1) 1.
CAPE SAUNDERS - on map 104.
CAPE TEHUKAHORE - 64.
CAPE WANHOU - Makotukutuku 232.
CAPE WAUBROW - 233.
CARGILL, CAPTAIN - 128; 129; 130; 136; 136; 137; 139; 154; 273; (1) 23; (2) 10; (2) 11; (2) 12; (enclosure 1) 110.
CARGILL, J. - 144; 145.
CARGILL, MR. - 135; 160; 161; 162; 164; 166; 169; 170; 171.
CARGILL, W. - 112; 113; 140; Superintendent, Otago 111.
CARGILL, WILLIAM - 141.
CARKEEK, MR. - (2) 29.
CARKEEK, S. - Collector of Customs 307.
CARKEEK, STEPHEN - Collector of Customs 205.
CARLETON, MR. - 160; 161; 162; 163; 163; 164; 165; 166; 167; 168; 169; 170; 171; 172.
CAROLINE BAY - 207; 215; 217; Te Upokoaterakaitauweki 225.
CARRINGTON, F.A. - (1) 10.
CARRINGTON, MR. - 252; 255; 258.
CARRINGTON, OCTA. - 212; 257; 259; 260.
CARRINGTON, OCTAVIUS - 257; (2) 4; surveyor 256.
CARRINGTON, W. - Surveyor, New Plymouth 308.
CARTER - claimant 82; 89.
CARTER, THOMAS - 306.
CASE NO. 374A - NZ Co. claim investigated 60; see CLAIM NO. 374A.
CASE NO. 374B - NZ Co. claim investigated 60; see CLAIM NO. 374B.
CATLEN, EDWARD - claimant 83; see also CATLIN, EDWARD.
CATLIN - claimant 89.
CATLIN & CO. - (2) 5.
CATLIN'S BAY - 89.
CATLIN'S RIVER - 88.
CATLIN, EDWARD - claimant 89; see also CATLEN, EDWARD.
CAVES - at Lyttelton Harbour (3) 45.
CEBERT, J.M. - 76.
CEMETERIES - see RESERVES, PUBLIC.
CENSUS - 214; 217; Native population (2) 24; (2) 25; (2) 26; (2) 36; marital status of Natives 275; of Half-castes 277; of Natives, lower Sth. Island 275; population (3) 52; see also POPULATION.

CHAPMAN - claimant 86; 92.

CHAPMAN, I.S. - 164.

CHAPMAN, ROBERT - 286.

CHARLES HARBOUR - 279.

CHARLEY - Chief, in Nelson district 62; see RAWIRI TAMATI.

CHARTER - Royal Charter discussed 10.

CHARTER 1846 - 250; (1) 22; (1) 24.

CHATHAM ISLANDS - 270; (2) 24; (3) 37; (3) 46.


CHETHAM-STRODE, A. - see also STRODE, MR.

CHETHAM-STRODE, ALFRED - Commissioner, Native Reserves 110.

CHETHAM-STRODE, MR. - 145.

CHIEF JUSTICE - (1) 7.

CHIEFS - Massacre Bay district 62; influential in South 97.

CHIGARY - 76.

CHRISTCHURCH - 199; 233; 234; 331.

CHRISTIAN, WILLIAM - merchant 34.

CHRISTIAN, WILLIAM F. - 205.

CHURCH MISSIONARY SOCIETY - 51; (1) 3; (2) 2; (2) 8; (2) 18; objects, systematic colonising 54.

CHURCH OF ENGLAND - (1) 23; (2) 13.

CHURCH SOCIETY - (1) 11.

CHURCHES - 171; 264; Native 275; Presbyterian 138; chapel, Waikawa 267; see also CHURCH OF ENGLAND; PRESBYTERIAN CHURCH; PRESBYTERY; RELIGION; RESERVES, PUBLIC.

CIVIL COMMISSIONER - see CLARKE, HENRY T. (2) 17.

CIVIL LIST - (1) 25; (2) 19.
CIVIL SECRETARY - 231; 249; 250; 265; 271; 280; 282; 283; 284; (2) 11; see A. DOMETT; C.A. DILLON.

CLAIM NO. 374A - 68.

CLAIM NO. 374B - 68.

CLARA ROSE - of Aparima 276.

CLARENCE - river 5.

CLARENCE RIVER - (3) 45; see also WAI-AU-TOA (3) 50.

CLARKE - 62; claimant 85; 89.

CLARKE, COMMISSIONER - (2) 17.

CLARKE, G. - Sub-Protector of Aborigines (2) 30.

CLARKE, GEORGE - 68; 104; Protector of Aborigines 67.

CLARKE, H.T. - 123; 124; 125; 126.

CLARKE, HENRY T. - (2) 18; Civil Commissioner (2) 17.

CLARKE, J.S. - claimant 89.

CLARKE, MR - 57; 61; Protector 56; Protector of Aborigines 60.

CLARKE, MR GEORGE - 63.

CLARKE, MR. - 103; 127; 128; 129; 135; (2) 31; Protector of Aborigines (2) 3; (2) 10.

CLAYTON, G.T. - 86; 87.

CLIFF WOOD - 232.

CLIMATE - 272; 274.

CLOTHING - (1) 20.

CLOUDY BAY - 28; 50; 59; 64; 79; 83; 85; 87; 89; 89; 91; 92; 203; 204; 302; (1) 12; (3) 50; see WANGANUI; see map I 206.

CLUTHA RIVER - 118; see also MOLYNEUX 269.

COAL - 215; 217; 224; 232; 251; 270; 289; lignite 232; 270; 279; 280; peat 232.

COATES - claimant 93.

COLACK'S BAY - see also ORAKA BAY 278.
COLAK'S BAY - 116.

COLE, JAMES - 83; claimant 89.

COLLINGWOOD - 321; 322; 323; 324; 325; 326; 333; 334; (1) 24.

COLLINS - 86.

COLLINS, A.S. - 211.

COLONIAL DEPARTMENT - 21; letter from Hobson to 17.

COLONIAL OFFICE - 42; (1) 8; (1) 17; (2) 7.

COLONIAL SECRETARY - 26; 87; 101; 114; 117; 118; 123; 124; 127; 129; 130; 131; 134; 136; 140; 141; 142; 143; 144; 145; 160; 169; 170; 197; 207; 213; 216; 219; 221; 222; 223; 227; 228; 235; 236; 237; 240; 249; 253; 254; 255; 261; 271; 273; 274; 280; 284; 289; 290; 291; 293; 294; 300; 303; 304; 321; 327; 335; 336; 337; (1) 7; (1) 21; function of 29; office proposed 16; see DOMETT, ALFRED; see FOX, WILLIAM; see RICHMOND, J.C.; see SHORTLAND, WILLOUGHBY; see SINCLAIR, A.; see SINCLAIR, ANDREW; see STAFFORD, E.W.; see WELD, F.A.; see also COLONIES, SECRETARY.

COLONIAL TREASURER - 118; 119; 127; (1) 16; (1) 21; see FITZHERBERT; see WOOD, R.

COLONIAL TREASURY - (2) 12; see also TREASURY.

COLONIES SECRETARY OF STATE - 75; 147; 149; 155.

COLONISATION - Bay of Islands (1) 5; Brit. Govt forced to colonise 13; British experience in America 11; British funding of (1) 7; British interests in NZ 13; British oppose French activity (1) 9; British reluctance to colonize 13; British seek sovereignty of NZ (1) 5; Charter proposed 9; Charter to est. NZ colony 178; Church Missionary Society 54; Commercial Co. established (1) 7; French interest in NZ; French to set up Penal Colony (1) 9; 27; Land & Emigration Commission 34; Lord Glenelg's principles of, 9; NZ an independent state (1) 7; NZ not to become Penal colony 16; NZ to become a separate colony 28; 37; Native consent required 14; North America 9; United States of America 21; anarchy in colony (1) 4; colonists starve (1) 14; colony established (2) 1; desire for authority in NZ (1) 5; desire to establish Civil Govt 14; effects on natives (2) 27; emigration fund (1) 11; fund to assist emigrants 34; geographical position favoured 13; importance of native reserves (2) 28; natural resources attractive 13; opposition to convict labour 19; protection of Natives 14; provision for divine worship 10; provision for schools 10; spirit of depression (1) 15; see CANTERBURY ASSOCIATION; OTAGO ASSOCIATION; NEW ZEALAND COMPANY

COMMERCE - Merchants, Dunedin 115; Merchants, Otago 114; 124.

COMMISSIONER, CROWN LANDS - see CROWN LANDS.

COMMISSIONERS - Colonial Land & Emigration 78.
COMMODITIES - as payment for land 65; payment for Nelson and others 64; value of, 1844 62.

COMMON LAW PROCEDURE ACT - 183.

COMTE DE PARIS - 28; 27; (1) 9; (1) 10; ship (2) 4.

CONFEDERATION OF TRIBES - (1) 4.

CONSTITUTION - not favoured 15.

CONSTITUTION ACT - 135; 179; 181; 182; 183; 184; 185; 186; 189; 190; 191; 193; 194; (2) 11; (2) 19; (2) 32.

CONSTITUTION ACT 1846 - (1) 26.

CONSTITUTION ACT 1852 - (2) 35.

CONSTITUTION ACT 1853 - (1) 1; (1) 22; (2) 14; see Introduction.

CONTRACTS - missionaries to witness 52; with Natives 15.

CONVICTS - Hobson favours convict labour 18; Indian convicts in Mauritius 18.

COOK STRAIT - 50; 51; 66; 66; 83; 83; 84; 85; 87; 88; 89; 91; 92; 301; (1) 16; see also COOK'S STRAIT 53.

COOK'S IS. - see map 314.

COOK'S STRAIT - (1) 8; (1) 9; (1) 12; (1) 15; (1) 21; (1) 22; (2) 1; (2) 3; (2) 9; (2) 15; (2) 33; (3) 38; (3) 40; (3) 41; (3) 46; (3) 47; see also COOK STRAIT (1) 6; see also RAUKAWA (3) 40.

COOK, CAPTAIN - 270; (1) 6; (1) 7; (1) 7; (2) 24.

COOK, JAMES - son of Te Kolhua 291.

COOK, LIEUTENANT - (1) 2.

COOK, MOUNT - see also HAORANGI 5.

COOMBES - claimant 93.

COOMBS - claimant 87.

COOPER - claimant 83.

COOPER, GEORGE - 23.

COOPER, G.S. - 308; 310; 311; Native Affairs Under-Secretary (2) 17.

COOPER, MR. - 203.
COOPER, W. - claimant 83.

COPSE ON THE HEMANS - Oamaru 232.

CORMACK, MR. - 232.

CORNWALL - ship 80.

COROMANDEL - (1) 24; (2) 35.

CORPORATION - for est. of colony proposed 10.

COULSON - claimant 87.

COULTER, MR. - 266.

COUNTIES - est. of hundreds and parishes 35.

COUPER - 89.

COUPER, W. - 89.

COURT OF APPEAL ACT - 187.

COWLEY, LORD - 75; 87


CRATE, JOHN - 125.

CRAWFORD, G.C. - claimant 89.

CRAWFORD, J.C. - claimant 83.

CRAWFORD, JAS. H. - 119.

CREED, MR. - (2) 20; missionary 218.

CROIXELLES - 4; 93; 293; 294; see map 320.

CROIXELLES HARBOUR - 302; 306.

CROWN GRANTS - 142; 143; 144; 145; 174; 175; 176; 177; 180; 183; 186; 193; 198; 250; 252; 289; 291; 296; 302; 305; 306; 338; (1) 10; (2) 7; (2) 32; schedule of, Otago 114.

CROWN GRANTS ACT 1862 - 337; 339.

CROWN LANDS - 115; 116; 118; 119; 120; 122; 124; 126; 127; 128; 129; 133; 139; 141; 142; 154; 171; 175; 198; 235; 237; 239; 240; 284; 291; 293; 294; 297; 304; 335; 337; Commissioner of, Dunedin 109; Commiss, see MANTELL, WALTER; Office, Dunedin 109; Office, Otago 110; Otago 114; see DOMETT, MR. (2) 17; see GISBORNE, W...
CROWN LANDS ACT - 127.
CROWN LANDS OFFICE - 231; records of 3, see under C.L.O. at the beginning of the C sequence.
CROWN LAW OFFICE - 241.
CRUSOE COPSE - 232.
CUBA - ship (2) 1.
CUIDLAND, H.S. - architect & surveyor 239.
CULTIVATION POINT - (2) 17.
CULTIVATIONS - 73; 102; 202; 203; 214; 217; 218; potatoes, White's Bay 329; see NATIVE CULTIVATIONS.
CULTIVATIONS, SETTLER - 102.
CURRIE, ALEXANDER - (1) 20.
CUSTOM HOUSE - Dunedin 110.
CUSTOMS - 307; (1) 6; (1) 14; (1) 16; (1) 23; Collector of (1) 7; Dunedin 123; see CARKEEK, STEPHEN; see JOHNSTON D. JUN.; see MACARTHY, JOHN.
CUSTOMS, NATIVE - British attitude to 32.
CUTTEN, MR. - 124; 132; 133.
CUTTEN, W.H. - 114; 119; 122; 127; 130; 136; 137; 139; 140; 141; 198.
CUZON, MONS. - 80.
D'URVILLE ISLAND - see also RANGITOTO 300; see map 320.
D'URVILLE'S ISLAND - 50; see map 320.
DANIEL, HENRY - 61.
DANIELL, H.C. - 312.
DARLING, GENERAL - Governor New South Wales.
DARMANDANTE - claimant 93.
DAVIDSON - 89; claimant 83.
DAVISON, MR. - 102.
DE BELIGNY, M. - (1) 9, see also BELIGNY/DE BELIGNY/DE BELLIGNY.
DE BELLIGNY, MONS. S. - 76.
DE BELLIGNY, M. - 255; (2) 4; (2) 13; see also BELLIGNY.
DE BOURGUENCY, BARON - 75.
DE THIERY, BARON - 12; (1) 4; (1) 7.
DEANS, MESSRS. - 246.
DEBORAH - Ship 95; 96; 98.
DECLARATION OF INDEPENDENCE - 12; 17; 20; 21: (1) 4; (1) 6; (1) 7; (2) 4.
DEEDS OF PURCHASE - 3-5.
DEIGHTON, R.I. - see map 2 206.
DESPARD, COLONEL - (1) 18.
DEVON, LORD - (1) 5.
DICK, THOMAS - 142; 143.
DICKSON, ELWIN B. - 316; 317; 318; 319.
DIFFENBACH, DR. - (1) 8; (2) 24.
DILLON, C.A. - 249; 251; 252; 263; 265.
DINORNIS - 224; 280; (3) 38.
DISCOVERY OF New Zealand - see NEW ZEALAND.
DISEASE - (2) 25; influenza 217; measles 103; (1) 19; (3) 47; causes of increased mortality (2) 26.
DODDREY, GEORGE - 67; witness to Kapiti deed 65.
DOLPHIN - schooner 215; ship 216; ship 218.
DOMETT - 232.
DOMETT, A. - 233; 236; 337.
DOMETT, ALFRED - 227; 239; 249; 261; 272; 274; 284; 307; Civil Secretary 110; Colonial Secretary 109; 205; 221; see map 2 206.
DOMETT, MOUNT - 233.
DOMETT, MR. - 171; 181; 190; 192; 194; 252; 255; 256; 280; 281; 282; 283; (2) 29; Civil Secretary (2) 11; Secretary for Crown Lands (2) 17.
DORSET, MR. - (1) 8.
DOUBLE CORNER - 223; 246; 246.
DOUBLEDAY, MR. - (2) 26.
DOWNING STREET - 28; 35; 38; 40; 70; 77; 78; 79.
DREI KONIGE - see THREE KINGS ISLANDS (1) 1.
DRYER, JOSEPH - 89.
DUBOIS, JAMES - claimant 83; 89.
DUFFEY, THOMAS - witness, Case No. 374A 61.
DUFFY, MR - 62; 294.
DUKE OF BUCKINGHAM - 152; 153; 155.
DUKE OF NEWCASTLE - (2) 18; (2) 33.
DULLEP, MARGARET - 276.
DUNCAN, J. - 83.
DUNCAN, J.W. - claimant 89.
DUNCAN, M.J. - 85.
DUNCAN, W.J. - claimant 83.
DUNEDIN - 109; 119; 122; 123; 125; 126; 127; 129; 130; 131; 132; 135; 136; 138; 139; 140; 141; 142; 143; 144; 145; 146; 148; 149; 153; 154; 155; 156; 157; 158; 159; 160; 162; 164; 167; 170; 171; 172; 173; 174; 181; 189; 190; 191; 199; 245; 285; 286; 288; (2) 12; (2) 23; George St., map (encl. 2) 110; Grey St., map (encl. 2) 110; Hope St., (enclosure 1) 110; Manse 126; 133; Manse Reserve 120; Mechanics Institute, (encl. 1) 110; Mount St., map (encl. 2) 110; Natives to be granted land 109; Papers re. Native Reserves 107; blacksmith squatter 133; map of, (enclosure 1) 110; see PRINCES ST. RESERVE.
DURHAM, LORD - (1) 7.
DUSKY BAY - 86; 282; (1) 2.
DUTCH EAST INDIA COMPANY - (1) 1.
DUTIES - see CUSTOMS; see REVENUE.
DYER, JOSEPH - claimant 83.
E REDI - signatory 66.
EARL OF ABERDEEN - 75; 76; 87.

EARL OF DURHAM - 5; 9; 10; 11; (1) 7; (1) 8.

EARTHQUAKES - (1) 24.

EAST BAY - 66.

EAST CAPE - (1) 20; (3) 37; (3) 46.

EAST COAST - 273; (1) 24; (2) 1; (2) 20; (3) 38; North Island (2) 17; (3) 41.

EAST HEAD - Otago Heads 197.

EAST INDIA COMPANY - 10.

EDUCATION - 15; 30; Canterbury (2) 20; English language (2) 19; Native Schools (2) 18; (2) 22; native school, Ruapuke (2) 21; of Native youth 32; of Natives 35; (2) 19; (3) 51; of Otago Maori 119; of youth 34; provision for schools 10; schools 290; teachers from NSW 18.

EEL WEIRS - 241

EELS - 242; (2) 23; fishing 239; 345.

EGAN, JAMES - 259.

EGMONT, MOUNT - see also TARANAKI (1) 2.

EHAIRO - 315.

EHOH - Chief, in Takaka district 62.

EHUA, HENARE - see HENARE EHUA.

EHWITTA - Chief, in Takaka district 62.

ELIZA - of Aparima 276.

ELIZABETH - of Aparima 276; ship (3) 48.

ELLESMORE, LAKE - 237; 239; 240; 243; (3) 48; see also WAIHORA 242.

ELLICE, RUSSELL - (1) 8.

ELLIOT, L.R. - see map 1 206.

ELLISON, T. - claimant 87; claimant 92.

ELMSLEY, MR. - 294.

ELMSLIE, A. - claimant 93.
ELMSLIE, MR. - 299.
EMANU - (3) 48.
EMIGRATION - Commissioners (2) 11; land sales funds to assist 41; see IMMIGRATION.
EMOKA - Chief, in Takaka district 62.
ENDEAVOUR - ship (1) 2.
ENEWA - Chief, in Takaka district 62.
ENGAWA - Chief, in Massacre Bay area 62.
ENGLAND - Hongi & Waikato visit (2) 18.
ENGLAND, CAPTAIN - (1) 13.
ENGLISH LANGUAGE - (3) 52.
ENNIS - claimant 93.
ENNIS, G. - claimant 87.
ENOKA KINGI TAIHURU - 308.
ENOKA TE WAUA - 313.
ENOKA, HOANI - see HOANI ENOKA.
ENTRY ISLAND - 50; 64; 64; (1) 15; (3) 48; see also KAPITI.
EPIHA - 63; 307.
EPIHA TUPOKI - 310.
ERAI TAHEKE - 286.
ERAI TE HARANUI - 307.
ERUERA - 266; 307.
ERUERA KAIWHAKINA - 311.
ERUERA KINGI TUWARE - 308.
ERUERA NUI - 316.
ERUERA TATANA TE KEHA - 325.
ERUERA TE RAUHIHI - 317; 338.
ERUINI TE KEHA - 325.
ERUWIRA - 266.

ETOU - 65.

EYRE, E. - 252; 253; 255.

EYRE, E.J. - Lieutenant-Governor (1) 21.

EYRE, GOVERNOR - 79; 228.

EYRE, LIEUTENANT-GOVERNOR - 201; 207; 208; 212; 213; 222; 223; 227; 229; 249; (1) 22; (1) 24; (2) 13; (2) 17.

FAIRBURN, MR - missionary 52.

FARM PEAK - see map 254.

FARMING - sheep 203; sheep station 215.

FEATHERSTON, DR. - 136.

FEATHERSTON, MR. - 144.

FENNANT, MR. - 125.

FENTON, REV. JOHN ALBERT - Commissioner Native Reserves 110.

FERN - 278; 279.

FERRIES - 116; 117; 123.

FILLEUL, R.A. - 286.

FILLEUL, WILLIAM - 286.

FIRE BEACON - 232.

FIRTH OF THAMES - (2) 2.

FISHER, HENRY - 83; 89.

FISHERIES - eel weirs 241; eels 242.

FITCH, L.W. - 257.

FITZGERALD, COMMISSIONER - 84; 90.

FITZGERALD, MR. - 160; 161; 164; 166; 167; 168; 169; 170; 239; 241; 266; see PITPERA 238.

FITZHERBERT - claimant 93.

FITZHERBERT, MR. - 160; 161; 164; 165; 166; 167; 168; 169; 170.
FITZROY, CAPTAIN - 77; (1) 23; appointed Governor (1) 14.

FITZROY, GOVERNOR - 54; 70; 72; 83; 95; 96; (1) 10; (1) 15; (1) 16; (1) 17; (1) 18; (1) 19; (2) 2; (2) 3; (2) 5; (2) 8; (2) 8; (2) 9; (2) 9; (2) 10; (2) 28.

FITZROY, ROBERT - Governor 69.

FLAG - (1) 7; (1) 9; (2) 1; cut down by Heke (1) 16; for N.Z. (1) 3; for N.Z. (1) 4.

FLAX - 218; 225; (1) 2; (3) 47; (2) 36; exchanged for passage (3) 48; see TRADE.

FLEA BAY - 3; 258; (Fly Bay) 258; see map, see also POHATAPU 254.

FLEURET, GEORGE - 76; 76.

FLORA - at Mataura 277; flax (2) 36; kapuka, broadleaf 280; tawa, koekoe 294.

FLOWLER, JAMES - 103.

FLY - ship 219; 221; 222; see also FLY HMS.

FLY BAY - see FLEA BAY.

FLY, HMS - 238; (1) 24; ship 209; 210; see also FLY.

FORBES, DR. - 279.

FOREST/WOODS - 25; 232.

FORSTER, DR. - (2) 24.

FORTIFICATIONS - see RESERVES, PUBLIC.

FOVEAUX STRAIT - 58; 82; 83; 84; 87; 88; 89; 90; 91; 92; 96; 246; 269; 270; (2) 6; (2) 14; (2) 16; (2) 17; (2) 20; (2) 21; (3) 47; see also RUAPUKE.

FOVEAUX STRAITS - 208.

FOWLER, JAMES - 103.

FOX, HON. MR. - (2) 18; (2) 34.

FOX, MR. - 123; 202; 207; 219; 221; 254; 255; 256; (1) 14; agent of NZ Co. 63.

FOX, W. - 249; 250; see map I 206.

FOX, WILLIAM - 125; 222; 251; 252; 327.

FRANCE - 75; (1) 3; (1) 9; French aspirations in NZ 20; Jardin de Plantes (1) 9;
FRANCE - 75; (1) 3; (1) 9; French aspirations in NZ 20; Jardin de Plantes (1) 9; 28; Minister of Foreign Affairs 75; expedition to colony 27; frigate, L'Aube 27; see BELIGNY, M.; see NANTO-BORDELAISE, FRENCH.

FRANCE, HENRY - 287.

FRANCE, KING OF - (1) 4.

FRANKLIN, BENJAMIN - (1) 7.

FREE CHURCH OF SCOTLAND - (1) 23.

FREEMAN, HENRY - claimant 93.

FREEMAN, THOMAS - 296; chief 305.

FRENCH - 250; 250; 251; 252; 253; 254; 255; 256; (1) 10; (2) 13; Government 209; Immigrants at Akaroa 28; emigrants to Akaroa 76; see FRANCE; see map 254; see map 256.

FRENCH COMPANY - 209.

FRENCH PASS - 297; see map 320.

FULTON, JAMES - 286.

FULTON, ROBERT - 288.

G - see alternative spellings: K, NG.

GAITEMAHAKI - 212.

GAITAOKA - 212.

GAITEAOTAMARUBWA - 212.

GAITEKARUKURA - 212.

GAITEKARAKIAMOA - 211; 212.

GAITEKARAHIKIHIKI - 211; 212.

GAITEWAEBWA - 212.

GAITOKE - 212.

GAITUAHURIRI - 212.

GAITUAPIA - 212.

GAITUHITERA - 212.

GAITUAPIA - 212; 212.

GAOLS - see RESERVES, PUBLIC.
GARDENS, PUBLIC - see RESERVES, PUBLIC.

GATIHAWEA - 211.

GATIHIKATUTAI - 212.

GATIHUIRAPA - 211; 212.

GATIHURIHIA - 211; 212; 212.

GATIKOKO - 211.

GATIMAMOE - 212.

GATIMATAMATA - 212.

GATIMOKI - 212.

GATIMOKIHI - 211.

GATIRAKIAMOA - 212.

GATIWAWEWA - 211.

GAZETTE - in Maori language (2) 32; see also NEW ZEALAND GAZETTE (2) 35.

GEBBIE, JOHN - 257.

GENERAL ASSEMBLY - 330; 336; 338; 339; (1) 22; (1) 25; (1) 27; (2) 16; (2) 19; (2) 32; establishment of (1) 26; see GOVERNMENT.

GEOLOGY - 223.

GEORGE - of Aparima.

GEORGE III, King - (1) 2.

GEORGE, LAKE - see also URUWERA 278.

GERMAN BAY - see map 254.

GILFILLAN FAMILY - (1) 22.

GILLIES, MR. - 133.

GIPPS, SIR GEORGE - 16; 17; 18; 23; 26; 28; 40; 41; 76; 250; (1) 6; (1) 7; (2) 4; (2) 5; (2) 6; (2) 7; Governor, NSW (2) 5.

GISBORNE, MR. - 213; 338.

GISBORNE, W. - 131; 142; 207; 210; 305; Commissioner Crown Lands 312; Private Secretary 209.
GLADSTONE, W.E. - 69; 71.
GLASGOW - 136; 144; (1) 23.
GLENELG, LORD - 5; 9; 10; 11; 12; (1) 8; Secretary of State, Colonies (1) 5.
GODERICH, LORD - 22.
GODFREY - 82; 84; 85; 86; 87.
GODFREY, COLONEL - 77; 78; 218; (2) 5; Land Commissioner 75.
GODFREY, COMMISSIONER - 88; 90; 93; (2) 4; (2) 6; (2) 6.
GODFREY, EDWARD L. - 76.
GODFREY, MR. - 250.
GODLEY, J.R. - 261; (1) 24.
GODLEY, JOHN ROBERT - (1) 23.
GOLD - 114; 123; 124, Aorere (2) 15; Australia (1) 24; California (1) 24; Collingwood (1) 24; Coromandel (1) 24; Taitapu 324; Taitapu goldfield 321; West Coast (2) 16; Ngatiuhi 322; effect of discovery of (3) 52; mining 322; 323; mining licences 325.
GOLDEN BAY - 337; 339; (3) 39.
GOODSIR - 89; claimant 83.
GORE BAY - 298.
GORE HARBOUR - 299; 300; 301; 310.
GORE'S HARBOUR - 293.
GORING, FORSTER - 156; 330.
GOVERNMENT - 118; 129; 131; 132; 133; 134; 144; 145; 147; 148; 149; 150; 151; 152; 155; 159; 162; 169; 172; 180; 181; 185; 186; 197; 198; 201; 202; 212; 234; 238; 241; 242; 263; 281; 294; 335; Administrative Authority 30; Civil List, 1840 (1) 7; Civil Secretary 109; Executive Council 84; (1) 14; General Assembly 135; 182; Governor & Council, 1841 36; House of Representatives 134; 135; Imperial 112; Legislative & Executive 35; (2) 2; Legislative Council 37; (1) 7; (1) 14; (1) 15; (1) 16; (1) 22; (2) 5; (2) 9; (1) 7; Legislature 34; Legislature established 29; Municipal & District 31; Officer Administering the 110; 76; Treasury (1) 13; (1) 14; early under Hobson (1) 6; est. at Russian (1) 11; establishment of Civil Govt. (2) 2; establishment of, in colony 179; (1) 21; 28; legislation, British attitude to 29; plainness of living encouraged 30; see also ATTORNEY GENERAL; see also COLONIAL SECRETARY; see also REVENUE; see also TREASURY, NZ; self-govt. granted (1) 26.
GOVERNMENT GAZETTE - 231; (1) 18.

GOVERNMENT HOUSE - 69; 71; 75; 330; 339; Auckland 37.

GOVERNOR - 139; 139; 140; 141; 143; 145; 146; 147; 152; 153; 154; 155; 156; 171; 174; 175; 176; 177; 178; 179; 180; 181; 182; 183; 186; 188; 189; 190; 191; 192; 193; 194; 194; 195; 197; 198; 198; 204; 204; 216; 218; 218; 219; 221; 227; 231; 235; 235; 244; 256; 256; 257; 257; 258; 259; 261; 264; 266; 266; 271; 273; 274; 280; 281; 281; 282; 283; 284; 285; 285; 287; 287; 288; 289; 289; 290; 291; 300; 308; 321; 323; 326; 327; 339; (1) 6; (1) 7; (1) 16; (1) 18; (1) 24; (1) 25; (2) 29; (2) 35; decisions of, land claims 82; see GREY, BROWNE, BOWDEN.

GOVERNOR-IN-CHIEF - (1) 21; see GOVERNOR.

GRAHAM, R. - 136; 137.

GRAHAM, ROBERT - 144.

GRAND PLAIN - 223.

GRASS - Hurunui 246.

GRAVESEND - (1) 8; (1) 9.

GREAT PLAIN - Wairau 203.

GREEN & CO. - (2) 5.

GREEN POINT - see TE AWAKAIHAIA.

GREEN RIVER - see KAIKARAI 102.

GREEN, GEORGE - 88; (2) 17; claimant 82.

GREENSTONE - (3) 46.

GRESSON, J. - 187; 192; 194.

GRESSON, MR. - 173.

GREY DISTRICT, UPPER - (3) 44.

GREY RIVER - 275.

GREY VALLEY - (3) 45.

GREY, CAPTAIN - of South Australian Govt. 33; see also GOVERNOR GEORGE GREY (1) 18.

GREY, EARL - 79; 80; 201; 202; 207; 208; 212; 223; 245; 249; 250; 263; 264; 265; 269; (1) 24; (1) 25; (2) 11; (2) 18; (2) 19; (2) 30; (2) 32; see also LORD GREY 78.
GREY, G. - 202; 246.

GREY, GEORGE - 91; 92; 114; 123; 124; 126; 129; 136; 152; 155; 171; 179; 198; 221; 223; 250; 251; 274; 284; 288; 293; 300; 303; 304; (1) 17; (1) 27; (2) 6; (2) 11; (2) 16; (2) 19; (2) 23; (2) 25; (2) 30; (2) 33; (2) 34; (3) 44.

GREY, GOVERNOR - 70; 71; 77; 78; 79; 80; 90; 95; 105; 135; 153; 156; 201; 207; 208; 212; 213; 222; 227; 229; 245; 249; 263; 264; 265; 269; 330; (1) 11; (1) 20; (1) 21; (1) 22; (1) 22; (2) 3; (2) 5; (2) 8; (2) 9; (2) 12; (2) 14; (2) 24; (2) 30; (2) 31; (2) 32; returns to England (1) 26.

GREY, LIEUTENANT GOVERNOR - 69.

GREY, LORD - (1) 25; (2) 11.

GREYMOUTH - see also MAWHERA (3) 47.

GUARD - 89.

GUARD & CO. - (2) 5.

GUARD, J. - 85.

GUARD, JOHN - 83; 89; 314.

HAEANA, HAMIOREA - see HAMIORA HAEANA.

HAEANA, IHAKA - see IHAKA HAEANA.

HAEREITI, PARAMENE - see PARAMENE HAEREITI.

HAEREREOA - 210; 211; 220; 238; 286; see ROUNDHEAD, TOMMY 218.

HAIMONA - 238; 239; 285; see SYMONDS.

HAIMONA KAIPARUPARU - 259.

HAIMONA PAKI PAKI - 285.

HAIMONA PITA TAITEA - see also PITA TAITEA 312.

HAIERO, MOIHI - 285.

HAKA - 205; 206.

HAKAPUREIREI POINT - 279.

HAKARAIA - 266; 309; 315; 316.

HAKARAIA KAIKOURA - 205; 206.

HAKARAIA TE NGONGHAU - 314.
HAKARAIA TE PAO - 311.
HAKARAIA TE TAPU - 314.
HAKARANA - 315.
HAKAROA - 239; (3) 48; (3) 50; see also AKAROA 211; (2) 7; (3) 47; see map 258.
HAKATARAMEA - 117.
HAKATARAMEA - 220; 233; 234; see also TE HAKATARAMEA 231; 232.
HAKATERE - 224.
HAKATIRE - 217.
HAKATONA - 198.
HAKIANA - 297.
HAKIANA TĀKAMAI I TE RANGI - (1) 311.
HAKIHAKI - 287.
HAKINIKINI - 104; 198; see map 104.
HAKO PA HOTU - 325.
HAKO PA TIKORANGI - 309.
HAKO PO HOTU - 319.
HALL, HON. JOHN - (2) 13.
HALL, JOHN - 237; 244; member of Executive Council (2) 24.
HALSE, H. - 234; 323; 324; 334; 339; Sub-inspector, police 309.
HALSWELL, EDMUND - (2) 28.
HALSWELL, MR. - (2) 29.
HAMA - see map 320.
HAMA TE WHATAARUHI - 316.
HAMAHAWA - 313.
HAMARAMA - 315.
HAMARU, HONE - see HONE HAMARU.
HAME - 66.
HAMERO, MOHI - see MOHI HAMERO.
HAMILTON - 243.
HAMILTON, I.W. - 211; 237; 239; 243; (2) 16; Principal Secretary 95.
HAMILTON, MR. - 269; 270; 278; 279; (2) 16.
HAMILTON, W.J.W. - 245; 246; 247.
HAMORIA - 266.
HAMORIA HAEANA - 319.
HAMORIA NUKU - 316.
HAMORIA PITO - 312.
HAMUA - 315.
HAMUERA - 267.
HAMUJTARA - 266.
HAMUTINI - see also HAMILTON, MR. 242.
HANA TE AHITAHU - 316.
HANDMILL - 275.
HANDYSIDE, HENRY - 312.
HANK - 313.
HANORA, TE HARAWIRA - see TE HARAWIRA HANORA.
HAORANGI - see also COOK, Mount 5.
HAPAIKE - 259.
HAPE - ; 3; 210; 238; 257.
HAPE, KITI - see KITI HAPE.
HAPE, MIREKIREKI - see MIREKIREKI HAPE.
HAPE, RAWINIA - see RAWINIA HAPE.
HAPE, TARE/TIARE - see TARE/TIARE HAPE.
HAPE, WIREMU - see WIREMU HAPE.
HAPIMANA - 309; 315.

HAPIMANA, TAMATI - see TAMATI HAPIMANA.

HAPU, TARE - see TARE HAPU.

HARA - 266.

HARBOURS - 50; Otago 119; importance of, in Middle Is. 79.

HARDY, EDWARD - 65°.

HARE HEMI TE PAEA - 308.

HARE PURUMERU - 315.

HARIATA MAWEUHEU - 309.

HARINUI - 279.

HARIOTA - 316.

HARIOTA PIRIKAHAU - 316.

HARLEQUIN - ship 219; 216.

HAROTO TE URANGI - 316.

HARPUR, WILLIAM - 232.

HARRINGTON, MR. - 110; 129; 131; 133; 135; 136; 138; 141; 144; (2) 12.

HARRINGTON, T.C. - 69; 78; 79; 80; 130; 137.

HARRIS, J. HYDE - 127; 129; 143; 144; 145.


HARRIS, MR. - 156.

HART, ROBERT - solicitor 311.

HART, W. - 89; claimant 83.

HARWOOD, OCTAVIUS - 103; claimant 93.

HATA TE KIKOTUWHA - 313.

HAU-HAU - (3) 52; see also HAUHAU, PAI-MARIRE (2) 34.

HAUAURU - 314.

HAUGHTON, C.E. - 144.
HAUGHTON, MR. - 160; 161; 163; 171.
HAUHAU - (2) 21; (2) 24; see also HAU-HAU.
HAKORE - 279.
HAULTAIN, COLONEL - 331.
HAUNUI FALLS - 280.
HAUPOokia - 307.
HAURAKI - (2) 35.
HAUROKA - 279.
HAUTERE - (3) 41.
HAWAI - (3) 37.
HAWAIKI - 279; (3) 37; (3) 38; (3) 40; (3) 44.
HAWEA - 197; 232; tribe 279.
HAWEA, LAKE - (3) 49; (3) 49; (3) 51.
HAWES, B. - 79; 80.
HAWES, MR. - (2) 11.
HAWKE'S BAY - 58; 301; 329; (1) 24; (2) 9; (3) 46.
HAY - claimant 83.
HEAIRA PIKIWATA - 310.
HEALTH - hospitals (2) 31; of natives (2) 21.
HEAPHY, MAJOR - (2) 10.
HEAPHY, MR. - 296; (1) 8; (1) 12.
HEBBLEWHITE - claimant 83.
HEBERLEY - claimant 93.
HEINE, MR. - (2) 20.
HEKE - (1) 18.
HEKE, JOHN - (1) 16; see also HONE HEKE POKAI.
HEKIERA PAORA - 330.
HEKIERE TANGATAKINO - 313.
HEMANS - 232; 233.
HEMARAMA TE NGAKO - 68.
HEMI - 315.
HEMI KEPA - 298.
HEMI KUKU - (2) 14.
HEMI POTAKA - 266; 267.
HEMI RIKI - 288.
HEMI RIKIRIKI - 287.
HEMI TANA - 325.
HEMI TE MURA - 314.
HEMI TE WAKARERE - 316.
HEMI WATIKINGI - 267.
HEMUERA TE KAWENGA - 316.
HEMUERA TUTAWAI - 314.
HENARE EHUA - 313.
HENARE MAUHARA - 228; 286.
HENARE REHE - 311.
HENARE TE KEHA - 297; 305.
HENARE TE RANGA - 305.
HENARI TE RANGA - 296.
HENE - 266.
HENERE - 212; 257; 267; of Ngatituiti hapu 315.
HENERE HURUHURU - 286.
HENERE KOWA - 259.
HENERE MATENE TE WHIWHI - 204; 205; 311; see also HENERE TE WIWI/MATENE TE WHIWHI.
HENERE MATENE TE WIWI - see map 1 206.
HENERE TE PAIA - 317.
HENERE TE RANGA - 312; 318.
HENERE WIREMU - 312; 325.
HENERI KURUKURU - 287.
HENERI TE AHO - 314; 316.
HENERU - 316.
HENRI, MR. - (2) 22.
HEPANAIA - assistant to Te Ua (2) 34.
HEPBURN, GEORGE - 144.
HEPBURN, MR. - 138.
HERALD, HMS - ship (2) 2.
HERD'S POINT - at Hokiang (1) 7.
HERD, CAPTAIN - (1) 7.
HEREMAIA - 299; 315.
HEREMAIA MAUTAI - 237; 243; 244.
HEREMAIA TE MATENGA - 298.
HEREWINE TANGATUROA - 316.
HEREWINI - 267; 315.
HERSLETT, H.C. - Maori speaker 110.
HERELET, H.C. - 286.
HERUERA TE RAUHIHI - 312.
HETA - 312; 325; of Ngatitama 326.
HETA TE HEMOA - 316.
HIKO - 54; 56; (2) 3; signatory to Kapiti deed 55; witness in Nelson land hearing 60.
HIKURAKI - 79.
HIKURAKI BAY - 78.
HIKURAKI, BAY OF - 76.
HILL, MR. - 161.
HIMEONA - 258.
HIMIONA - 259; witness, 3rd deed 67.
HIMIONA WETANUKU - 314.
HIMONA - 315.
HINCHCLIFF, W. - claimant 93.
HINE - signatory 66.
HINERAWA, RIRIA - see RIRIA HINERAWA.
HINETUAOHANGA - (3) 44.
HINETUI POINT - 278.
HIPIRINI MURUTU - 311.
HIPOIA TE RUAPUKA - 316.
HIRA - 307.
HIRA RAWIRI - 338.
HIRA TE RUATAIKI - 287.
HIRINI TE WANGA - 307.
HIRST, WILLIAM - 89.
HITAUA - see map 314.
HITOITOI - 287.
HIWI, ROKA - see ROKA HIWI.
HOANA TIMARU - 244.
HOANI - 286.
HOANI ENOKA - 330.
HOANI KOENAKI - 299.
HOANI KORAKO - 211; 285; 287.
HOANI NGAPAKI - 314.
HOANI OKORO - 307.
HOANI PAKA - 313.
HOANI PIKIVERA - 307.
HOANI RAKAPARI - 316.
HOANI RIKI - 307.
HOANI RIRI - 311.
HOANI TAITAPU - 312; 317.
HOANI TATANA TE KEHA - 325.
HOANI TE ATA - 309.
HOANI TE OKORO - 311.
HOANI TIMARU - 243.

HOANI TOPI PATUKI - (2) 23; see also
HONE/HONI/PATUKI/TEONE/TIONE/TOPI.

HOANI TUHATU - 315.
HOANI TUWHATA - 298.
HOANI WAKARURU - 286.

HOANI WETERE KORAKO - 197; 198; (2) 23.

HOANI, MATEWAI - see MATEWAI HOANI.

HOBBLEWHITE, W. - 89.

HOBSON, CAPTAIN - 11; 16; 18; 20; 39; (1) 4; (1) 6; (1) 9; (1) 11; (1) 13;
(2) 1; (2) 2; (2) 7; British Consul (1) 5; appointed Consul &
Governor 17; appointed Consul to NZ 12; 13; appointed Governor
(1) 7; see GOVERNOR, WILLIAM 37.

HOBSON, GOVERNOR - 28; 70; 75; (1) 9; (1) 12; (1) 14; (2) 5; (2) 28; see
CAPTAIN/WILLIAM 24.

HOBSON, WILLIAM - 22; 23; 27; 35; appointed Governor 36; 28; sovereignty
over NZ Islands 26.

HOERA - 315.

HOERA PIRE - 309.

HOERA TAUHEI - 314.

HOETA TE RAWE - 315.

HOHAIA POHEAHEA - 285.
HOHAIA POHEPOHE - 286.
HOHAIA POKAITARA - 307; 311.
HOHAIA TAO - 309.
HOHAIA TE RANGIRUNGA - 338.
HOHAIA, POKAITARA - see POKAITARA HOHAIA.
HOHENGA TONGENNERA - 67.
HOHEPA - 266; 313; 315.
HOHEPA KURUA - 316.
HOHEPA MOKO - 319; 319.
HOHEPA NGAPAKI - 314.
HOHEPA NGAPUKEGAPUKE - 267.
HOHEPA ROITI - 316.
HOHEPA TAMAHENGIA - 329.
HOHEPA TAMAIHENGIA - 302; 307; 311; (1) 19; (3) 47; (3) 48.
HOHEPA TE KIKA - 317.
HOHEPA TE MAIHENGIA - see map 2 206.
HOHUA - 309.
HOHUA TE HANAI - 313.
HOHUA TUTAKAI - 316.
HOIANE - in Blind Bay 66.
HOIANO - in Blind Bay 64.
HOIERE - 4; 64; 304; 315; 317; see map 316; see PELORUS RIVER 64; 66.
HOKANUI - 278; (2) 17.
HOKIANGA - 51; 52; (1) 3; (1) 6; (2) 2; (2) 7; (2) 18.
HOKIANGA RIVER - (1) 4; (3) 38; land purchased at 52.
HOKITIKA RIVER - (3) 46.
HOKO, TE WATENE - see TE WATENE/WATENE HOKO.
HOKO, WATENE - see WATENE/TE WATENE HOKO.
HOKOKAI - 259.
HOLT - claimant 83; 89.
HOMIRIA - 309.
HONA - 266.
HONA TAIKO - 316.
HONE - 307.
HONE HAMARU - 316.
HONE HEKE POKAI - see also HEKE, JOHN (1) 17.
HONE MEIHANA - 309.
HONE PARATENE TAMARI - 313.
HONE PARATENE TE KAKAHO - 311.
HONE PARATINI - 212.
HONE PUMIP TUTAI - 309.
HONE RIWHA - 312.
HONE TANARAU - 315.
HONGI - 25; (1) 20; (2) 18; (2) 25; (3) 46.
HONI TE WANA - 313.
HONORE, MR. - (2) 20; (2) 21.
HOPA - 307.
HOPA TE RANGIHIROA - 330.
HOPE, MR. - 70.
HORA - see map 320; see map 320.
HORA RAKEHA - 267.
HORE PEKA - 319.
HORI - 296; 312; 315.
HORI KARAKA TE KAWAU - 311.
HORI KARAKA TE KIH - 314.
HORI KEREI TAIAROA - (2) 23; see also TAIAROA 143.
HORI KIAO - 315.
HORI PATENE - 299; 315.
HORI TE KORAMA - 318.
HORI TUNUI - 307.
HORO TE HARAMA - 314.
HOROKIWI - (1) 19.
HOROMANA - 315.
HOROMONA - 218; 307.
HOROMONA ATE - 287.
HOROMONA IWIKAU - 216; 220.
HOROMONA MAUHE - 285.
HOROMONA MAUKU - 211.
HOROMONA POHIO - 211; 212; 217; 218; 285; (2) 23; see also POHIO, SOLOMON 104.
HOROMONA PUKUHETI - 286.
HOROMONA TE AHU - 308.
HOROPAPERA - 307.
HOROPAPERA PUKEKO - 311.
HOROPAPERA, KARA - see KARA HOROPAPERA.
HORSESHOE BAY - (2) 17.
HOSKING, JOHN - claimant 84.
HOSKINGS, JOHN - claimant for Polynesian Co. 90.
HOSPITALS - see RESERVES, PUBLIC.
HOT SPRINGS - 279.
HOTU, HAKOPA - see HAKOPA HCTU.
HOTUROA - (3) 37.
HOUPUNGA, PAORA - see PAORA HOUPUNGA.
HOUSE OF COMMONS - (1) 7; (1) 8.
HOUSE OF LORDS - (1) 5; (1) 14.
HOUSE OF REPRESENTATIVES - Maori representation (2) 35.
HOUSES - of Natives 275; (3) 52.
HOWARD, MR. - (1) 13.
HOWELL, GEORGE - 276.
HOWELL, SARAH ANNE - 276.
HOWICK, LORD - (1) 8.
HUEA - 302.
HUGHES, J.T. - 90.
HUKAROA, PARATENE - see PARATENE HUKAROA.
HUMAN SACRIFICE - 15; 19; 32.
HUMERO, MOSES - 288.
HUNT, EDWARD - claimant 93.
HUNTER BROWN, C. - Civil Commissioner (2) 18.
HURA - 306; 309.
HURA KOPAPA - 297; 302; 306; 315.
HURA PARAPAI AA - 313.
HURI - 220.
HURIHIA, MATIU - see MATIU HURIHIA.
HURITIU POINT - 116.
HURIWAI - 285; 286.
HURIWHENUA - 288.
HURIWHENUA TE MARAINI - 314.
HURST, W. - 83.
HURU HURU - 117.
HURUHURU - 217; 218; 220; 220; 231; 285; 286.
HURUHURU, HENERE - see HENERE HURUHURU.
HURUMUTU, ORI WIA - see ORI WIA HURUMUTU.
HURUMUTU, ROPATA - see ROPATA HURUMUTU.
HURUNUI - 246; (3) 45; river S.
HUTT - 70; (1) 9; (1) 20.
HUTT VALLEY - (1) 15; (1) 19.
HUTT, W. - (1) 8.
HYDE HARRIS, J. - see HARRIS, J. HYDE.

IAIA TE MAIHANA - 285.

IEKAPITI - 259.

IHAIA - 210; 231; 238; 273; 309; 309; 315.

IHAIA KAIKOURA - 330.

IHAIA MI - 287; 288.

IHAIA PAKI - 311.

IHAIA TAIWA - 212.

IHAIA TAIHEWA - see also IHAIA TAIWA.

IHAIA TE KAWENGA KAIKOURA - 313.

IHAIA WAITIRI - 287.

IHAIA WHAITIRI - 285.

IHAKA - 266.

IHAKA HAEANA - 310.

IHAKA MAURIRI - 314.

IHAKA PUKEROA - 325.

IHAKA TE MERI - 306; 319.

IHAKA TE TURORO - 309.

IHUMEONE - 309.

IKA - 307.

IKURAKI - see map 254.

IMAI - 266.

IMMIGRATION - Barracks, Dunedin 118; 131; 138; Barracks, Otago 114; 114; Commission 133.

IMPERIAL GOVERNMENT - (1) 3; (1) 4; (1) 8; (1) 10; (1) 11; (1) 15; (1) 16; (1) 21; (1) 22; (1) 26; (2) 1; (2) 2; (2) 3; (2) 8; (2) 9; (2) 18; (2) 19; (2) 30.

IMPORT DUTIES - 19.

INANGA - greenstone (3) 44.

INDEPENDENCE - 22.
INFANTICIDE - 32.

INGESTRE, LORD - 70.

INIA - 312.

INIA OHAU - 317; 326.

INIA TUHATA - 314.

INSTRUCTIONS, 1846 - (2) 11.

INVERCARGILL - 125; 126.

IONIAN ISLANDS - (1) 15.

IPIKU - 259.

IRA'I TIHAU - 285; 286.

IRA'KI, APERAHAMA - see APERAHAMA IRA'KI.

IRINGATAU - 309.

ISLAND POINT - 218; 224.

IUIKA - 76.

IWIKATEA - 280.

IWIKAU, HOROMONA - see HOROMONA IWIKAU.

IWITUAROA - 312; 323; see map 314.

IZARD, C.B. - 146; 156; 157.

IZARD, MR. - 147; 149; 150; 151; 173; 186; 187.

JACKSON, J. - claimant 87; 92.

JACOB'S RIVER - 85; 88; 89; 89; 90; 92; 93; 116; 118; 272; see also APARIMA 269; (3) 51.

JACOBS RIVER - 82; 84.

JAMES - of Aparima 276.

JEFFREY, THOMAS - claimant 84; 90.

JENIKAU, SOLOMON - 214.

JENKINS, MR. - 203; 294; 294; 301; 306; 306; (2) 14.

JENKINS, ROBERT - 204; 205.

JENKINS, W. - 293; 313; 316; 317; 317; 318; 319; Native Interpreter. see map 314.
JENKINS, WILLIAM - 310; 314; Interpreter 300.

JOHNSON - see MICHEL, JOHNSON & CO.

JOHNSON, M. - claimant 90.

JOHNSTON, D. Jun. - 323; customs officer 325.

JOHNSTON, A.J. - 173.

JOHNSTON, AMELIA - 276.

JOHNSTON, D. - 326.

JOHNSTON, J. - 174; 175; 176; 177; 178; 182; 183; 184; 186; 188; 191; 192; 193; 194; 195.

JOHNSTON, MR. - 181.

JOHNSTONE, J.G. - (2) 15.

JOHNSTONE, MR. - (2) 16.

JOLLIE, MR. - 264.

JONES - 92; claimant 88.

JONES & CO. - (2) 5.

JONES, J. - 84; 85; 86; 92; 218; (enclosure 1) 110.

JONES, J.I. - 84.

JONES, JOHN - 88; 115; 154; 155; 215; (2) 12; (2) 20; claimant 84; 90.

JONES, MR. - land proprietor, Otakou 97.

JONES, R. - claimant 82.

JONES, THOMAS - 84; claimant 90.

JOSEPH, HENRY - 212; 212.

JOSS, JAMES - 92; (2) 17; claimant 87; 92.

JUSTICE SYSTEM - 25; 30; 32; British Bill: crime in NZ 22; Court held, Akaroa, 1840 27; Court, Dunedin 126; English magistrates in NZ 20; Hobson seeks clarification of, 18; Justices of the Peace in NZ 20; Law officers (2) 35; Legal Writings 175; 176; Lynch law (1) 5; Native access to, 36; Natives conduct in hearings 61; Privy Council 153; (2) 12; (2) 33; Supreme Court Ordinance (1) 15; Supreme Court, Appeal Court (2) 12; Supreme Court, Sydney 91; extended to NZ from NSW 20; legal cases 176; 183; 187; 188; of NSW and Van Diemen's Land 29; "Writ of Intrusion" 143; of early colony 16; proceedings of Nelson hearing 56; see HART, ROBERT; see KENDALL, MR.; see STRANG, ROBERT R.; see also ATTORNEY GENERAL; see also CHIEF JUSTICE.
K - see alternate spellings G, NG.

KAHIKATEA - see map 314.

KAHIKIWI, RAWENATA - see RAWENATA HAKIKIWI.

KAHOA, RIRIA - see RIRIA KAHOA.

KAHU - see also TE KAHU, TARI WETERE 211.

KAHU PATITI - 285.

KAHUPATITI - 287.

KAHUTI - 104; 211; 211; 218; 220; 239; 286.

KAHUWERA - 278.

KAI - 266.

KAI HIKU - see map 104.

KAI KANOHII - a mere (3) 46.

KAI TANGATA - (3) 45.

KAI, TIAKI - see TIAKI KAI.

KAIANA - 64.

KAIAPOE - see map 1 206; see also KAIAPOI.

KAIAPOI - 5; 204; 210; 213; 214; 216; 217; 219; 220; 227; 228; 228; 229; 238; 239; 242; 243; 251; 254; 273; 280; (1) 20; (2) 12; (2) 13; (2) 15; (2) 16; (2) 20; (2) 23; (2) 23; (2) 27; (3) 40; (3) 44; (3) 44; (3) 47; (3) 47; (3) 48; (3) 49; (3) 50; (3) 51; Runanga 237; 240; see also KAIAPOE.

KAIAPOI PA - 214; 216.

KAIAPOI RESERVE - 217.

KAIUA - 297; 300; 309; 316; 317; see map 320.

KAIWA - 66.

KAHIHATA, WIRIHANA - see WIRIHANA KAIHATA.

KAIHIKU - 211; 238; 239; 285; 287; (2) 10.

KAIHIKU RANGE - 104.

KAIHIKU RANGES - 3.

KAIHIKU STREAM - 272.

KAIHINU - (3) 40.
KAIAKI - 278; 286; 286.
KAIAKAINUI - 220; 228.
KAIAKANOHI - 243.
KAIAKANUI - 214; 216.
KAIAKARAE - 104.
KAIAKARAI - Green River 102; see map 104.
KAIAKATAKATA - 287.
KAIAKAUNUI - 215.
KAIAKOARE - 104.
KAIAKOARIRI - 218.
KAIAKOR'S - see map 1, 206.
KAIAKORA - chief 203; see also KAIKOURA 66.
KAIAKORA PENINSULA - 93.
KAIAKOURA - 5; 64; 204; 209; 213; 227; 247; 251; 273; (3) 40; (3) 42; (3) 43; (3) 46; (3) 47; see KAIKOR'S; see also LOOKER'S ON RANGE 246; see map 2 206.
KAIAKOURA, ANI - see ANI KAIAKOURA.
KAIAKOURA, HAKARAI - see HAKARAIKA KAIAKOURA.
KAIAKOURA, IHAIA TE KAWANGA - see IHAIA/TE KAWANGA KAIAKOURA.
KAIMATAO, APERAHAMA - see APERAHAMA KAIMATAO.
KAIOWAHINE - see map 316; see map 320.
KAIPAKIRIKIRI - see map 314.
KAIPAPA - 310; see map 314.
KAIPAPU - 309.
KAIPARA - 25; (2) 35; (3) 38; (3) 46; NZ Co. claims land at 53.
KAIPARA TE HAU - see map 1 206.
KAIPARA, PARATENE - see PARATENE KAIPARA.
KAIPARA, WIRIHANA - see WIRIHANA KAIPARA.
KAIPARATEHAU - Wairau 203.
KAIPARATEHAU (TE KARAKA) - Cape Campbell 204.
KAIPARUPARU, HAIMONA - see HAIMONA KAIPARUPARU.

KAIPINU - see map 314.

KAIPUPU - 308; see map 266.

KAIRAKAU - 257; 259.

KAIREPEREPE - see map 314.

KAITAHU - 102; see also NGAITAHU.

KAITAIA - (2) 2.

KAITAKI - (2) 34.

KAITANGATA - greenstone ornament (3) 44; see also KATIANGATA; see map 104.

KAITARA - 256; 257; 258; 259; in Port Levy 3; see map 256.

KAITERETERE - (1) 12.

KAITERUAIHIKIHIKI - 242.

KAITORETE - 237; 244; see also KAITORETI 243; see map 254.

KAITORETI - 242; 243.

KAITUHAURIRI - 216.

KAITUNA - 4; 203; 204; 293; 294; 297; 297; 300; 302; 302; 304; 306; 315; see map 104; see map 256; see map 258; see map 316; see map 320.

KAITUNA RIVER - 297.

KAITUNA VALLEY - see map 1, 206.

KAIWAKANA - 104.

KAIWAKARU - 307.

KAIWAKAWA - 308.

KAIWHAKAWA, WIRIHANA - see WIRIHANA KAIWHAKAWA.

KAIWHAKINA, ERUERA - see ERUERA KAIWHAKINA.

KAKAHO - 64; 66; see map 314.

KAKANUI - 217; 258; 259.

KAKANUI BAY - 117.

KAKAPO - 279; (3) 44.

KAKAU, PENE MITI - see PENE MITI KAKAU.
KAKAUNUI - 220; 224; 232; 235; 236; 278.

KAKIKAKI - of Karoro 102.

KAKIRIKI - see map 104.

KAMAUTAURUA - see map 104.

KAMOU - Chief, in Massacre Bay area 62.

KANAE - 298; 306.

KANAE, WI - see WI KANAE.

KANAHAI - 287.

KANERE, PAORA - see PAORA KANERE.

KANIWHERA - (3) 51.

KAOKAO - 219.

KAOMA, NOPERA - see NOPERA KAOMA.

KAPA - 266.

KAPAI TE HEREWINI - 318.

KAPARATAHAU - (3) 50.

KAPARATIO - 64.

KAPITI - 54; 56; 57; 57; 59; 87; (1) 12; (1) 20; (2) 3; (3) 45; (3) 46; (3) 47; (3) 48; (3) 49; (3) 50; (3) 51; Entry Island 66; (1) 15; deed at 60.

KAPITI DEED - Nelson and Port Nicholson 55; boundaries of deed 64; payment, includes commodities 64; witnesses to 65.

KAPITI ISLAND - see also ENTRY ISLAND 64; not included in Kapiti deed 64.

KAPITI, TAMATI - see TAMATI KAPITI.

KAPUA - 266.

KAPUANUI, RAWIRI - see RAWIRI KAPUANUI.

KAPUKA - 280.

KAPUKE ARIKI PA - (3) 40.

KAPUTI - 278.

KARA HOROPAPER - see also HOROPAPER 309.

KARAKA - 67.

KARAKA, ARAMA TE WHATA - see ARAMA TE WHATA KARAKA.
KARAMEA - (3) 39.
KARAMEA RIVER - 5; (3) 45.
KARANAMA - 266.
KARANGI, KEREOPA - see KEREOPA KARANGI.
KARARAINA TE RAWA - 313.
KARAROA - 275.
KARARU - 64; 66.
KARAWEKO, WI - see WI KARAWEKO.
KARAWHEKO - 212.
KAREHANA - 307.
KAREHANA TE WETÂ - 311.
KARETÂI - 76; 104; 197; 198; 210; 211; 211; 211; 211; 220; 238; 239; 285; 286; 288; chief, Otakou 102.
KARETÂI, KORAKO - see KARETÂI.
KARETÂI, TIMOTI - see TIMOTI KARETÂI.
KARI TOPIRA - 266.
KARIA - 266.
KARINA TE HOTETE - 68.
KARIPA TE KOKA - 309.
KARIRA - 315.
KARITONIRE TE AOTERANGI - 68.
KARO NUKUHORO - 316.
KARO TOKE - 313.
KARORAINA - 315.
KARORO - 103; 103; Maori of 102; see also MOLYNEUX BAY 101; stream 102.
KARORO RIVER - see map 104.
KARU - 315.
KARUWAÏ - 231.
KATARAINA - 307.
KATARAINA MOARI - 318.
KATARAINA TE MAIWITIA - 313.
KATATORI, TE WHAITERE - see TE WHAITERE KATATORI.
KATIANGATA - 76.
KATIKI BAY - 224.
KATIPERE - see also CANTERBURY 243.
KAUE - (3) 42; (3) 43.
KAUKAUAWAI - 325; 326.
KAUMOANA, RAWUNA - see RAWUNA KAUMOANA.
KAUJOMA - 259.
KAUPANE - 66.
KAUPANE, WIREMU ROPATA - see WIREMU ROPATA KAUPANE.
KAURANGI - 5.
KAURANGI POINT - 321; (3) 49.
KAURAPA, MATINA - see MATINA KURAPA.
KAUTANUI, APETARA - see APETARA KAUTANUI.
KAUTUA, PARAONE - see PARAONE KAUTUA.
KAUTUANUI - 256; 257; 258; 258.
KAUTUANUI, APETARA - see APETARA KAUTUANUI.
KAUWATEA - see map 258.
KAWAKAPUTAPUTA - 273; 275; 277; 279; 280; 285; 287.
KAWANA KEREI POARU - 312.
KAWANA POHARU - 319.
KAWARI - 213.
KAWARI RIVER - 214.
KAWARU, RANIERA - see RANIERA KAWARU 317.
KAWATIRI - Chief, in Massacre Bay area 62; see also BULLER RIVER (3) 45.
KAWAU, PIRI - see PIRI KAWAU.
KAWENA - 266.
KAWHAKAPUTAPUTA - 116.
KAWHARU, RANIERA - see RANIERA KAWHARU.
KAWHIA - 58; (1) 9; (1) 20; (1) 24; (3) 46.
KAWIÅ - 57.
KAWITI - (1) 18; (1) 19.
KEATSBOURNE - at Waikoura 232.
KEHETU - 266.
KEIHAERE, MARAEA - see MARAEA KEIHAERE.
KEKERANGU - (3) 47.
KELHAM, J. - 100.
KELHAM, MR. - 99; 101.
KELSO - ship 80.
KEMP PURCHASE - 3; 207.
KEMP'S DEED - 211; (2) 24.
KEMP'S PURCHASE - 4; 285; (2) 13; (2) 31; Deed and map 210; see also
NGAITAHU DEED.
KEMP, COMMISSIONER - 124.
KEMP, H. TACY - 227; 229; 238.
KEMP, H.T. - 207; 209; 210; 210; 307.
KEMP, HENRY T. - Assistant Native Secretary (2) 13.
KEMP, HENRY TACY - Native Secretary 205.
KEMP, MR. - 79.
KEMP, MR. - 208; 213; 216; 219; 221; 222; 229; 238; 241; 243; 252; 255;
256; 257; 271; 272; 274; 287; (2) 16; (2) 23; see map 210; see
map 254; see map 256.
KENDAL, THOMAS - magistrate (2) 18.
KENDALL, MR. - (1) 4; Resident Magistrate (1) 3.
KENEPURU - 294; 297.
KENNIS, MR. - (3) 48.
KEPA, HEMI - see HEMI KEPA.
KEREI PUKEKOHATU - 330.
KEREKERE - 197.
KERENAPU - 316.
KERENAPU KORUA - 316.
KEREOMA - 316.
KEREOPA - 315.
KEREOPA KARANGI - 316.
KEREOPA TE IKAMEKE - 311.
KEREOPA TE TAPUHI - 317.
KEREOPA TOTOI - 285.
KERINAPU TE AONA - 316.
KETTLE, C. - 285; 287.
KETTLE, C.W. - 238.
KETTLE, CHARLES - 136; 286.
KETTLE, MR. - 116; 117; 128; 136; 137; 139; 141; 144; 209; 210; 273; Govt. Surveyor 110.
KETU, TE HAENA - 309; see TE HAENA KETU.
KEWETONE, HORI - 314; see HORI KEWETONE.
KIA - Chief, in Massacre Bay area 62.
KIAKA, RAWIRI - 317; see RAWIRI KIAKA.
KIEKIE - see map 314.
KJETU - Long Island 66.
KIHAU - 104; 278; 286.
KIHAU, ELLEN - 5.
KIHAU, FRED - 5.
KIHAU, JOHN - 211; 216; 218; 239.
KIHAU, TEONE - see TEONE KIHAU.
KIHAU, TOPI - see TOPI KIHAU.
KIHI, RANGI - see RANGI KIHI.
KIKAU - 220.
KING GEORGE III - 20.
KING MOVEMENT - (2) 35.
KING WILLIAM IV - 21; 22.
KING, WILLIAM - see also TE KOIHUA, W.K. 290.
KINGI, WIREMU - see WIREMU KINGI.
KINGI, RAWIRI - see RAWIRI KINGI.
KINGI, RIA - see RIA KINGI.
KINGI, TAMATI WI - see TAMATI WI KINGI.
KINGSWELL, J.B. - (2) 17.
KINO - 266; Chief, in Massacre Bay area 62.
KIORE, TE WHATA - see TE WHATA KIORE.
KIRIHIPA RAPA - 314.
KIRIKIRIWAEREA - see map 258.
KITE, MATIAHA - see MATIAHA KITE.
KITI HAPE - 315.
KITI TE POHE - 316.
KITOKITOKI - 242; 243.
KIWI - (3) 44.
KOAKAKAEAEA - 277.
KOAO, HORI - see HORI KOAO.
KOAU - 197.
KOAU RIVER - see map 104.
KOAU, KUIRI - see KUIRI KOAU.
KOENAKI, HOANI - see HOANI KOENAKI.
KOEKOE - 294
KOHAIHOPE - 76.
KOHATA, TE WIRIHANA - see TE WIRIHANA KOHATA.
KOHE, PIRIPI - see PIRIPI KOHE.
KOHEROA - (2) 34.
KOHURAU - 232.
KOI - 266.
KOI KOI, PITA - see PITA KOI KOI.
KOIA, RIPEKA - see RIPEKA KOIA.
KOINAKI, PAORA - see PAORA KOINAKI.
KOKAKONGATUNGATU - 76.
KOKERE MENETA - 312.
KOKOPA, Rangi - see RANGI KOKOPA.
KOKORARATA - 3; see also KOUKOURARATA/PORT LEVY.
KOKORARIKA - (1) 15; (1) 17.
KOKORAU, TIEMI - see TIEMI KOKORAU.
KOKOTAHA - see map 314.
KOKOWAI - 258; red ocre 259.
KOLOK - see also KOROKO (2) 7.
KOMANGA - 307.
KOORI - signatory 66.
KOPAPA - see HURA KOPAPA.
KOPAPA, HURA - see HURA KOPAPA.
KOPARAURA, ARANUMU - see ARANUMU KOPARAURA.
KOPUTAHI - 286.
KORAKO - 104; 218; see also WHITE, KORAKO.
KORAKO KARETAI - 104; 199.
KORAKO TURINAKA - 285; 286; 288.
KORAKO, HOANI - see HOANI/HONE KORAKO.
KORAKO, HONE WETERE - see HONE/HOANI WETERE
KORAKO/KOROKO; see also KORAKO, JOHN WESLEY.
KORAKO, JOHN WESLEY - 285; 286; 288; see also HOANI/HONE KORAKO 211.
KORE, MERI WEHI - see MERI WEHI KORE.
KOREHE - 210; 238.
KORIA MOERANGI - 309.
KOROKO - see also KOLOK (2) 7.
KOROKO, HOANI WETERE - see HOANI WETERE KOROKO/KORAKO.
KORONIRIA TE MUTU - 313.
KORORAREKA - 23.
KORORARIKA - (1) 5; (1) 6; (1) 11; see also RUSSELL (1) 16.
KORORORIKA ASSOCIATION - (1) 5.
KORUA, KERENAPU - see KERENAPU KORUA.
KOTARA TE MARAMA - see map 2 206.
KOTARE TE AO - 288.
KOTI - 210; 238.
KOTUNA HITANA - 66.
KOUKOURARATA - 254; 258; 259; 260; see also KOKORARATA/PORT LEVY (2) 7; see map 258.
KOURA - 117; 220.
KOUTUNUI - see map 314.
KOWA, HENERE - see HENERE KOWA.
KOWANGA, MITI - see MITI KOWANGA.
KOWINIWINI - 247.
KUHAKA-WARI-WARI - at Waihora 3.
KUHAKAWARIWARI - 256; 259; see map 258.
KUHAWARIWARI - see map 256.
KUJIRI KOAU - 197; 285.
KUKEKE, MATIAHA - see MATIAHA KUKEKE.
KUKU, HEMI - see HEMI KUKU.
KUKU, PIRIHIRA - see PIRIHIRA KUKU.
KUMERA - 25.
KUMUTOTO - see map 314.
KUPE - (3) 37.
KURAE - 266.

KURAE, WI - see WI KURAE.

KURAHUPO - (3) 38; (3) 41.

KURAKURA - 104; see map 314.

KURI - 117; 218; of Taiari 102; see also TE KURI.

KURUA, HOHEPA - see HOHEPA KURUA.

KURUKURU, HENRI - see HENRI KURUKURU.

KUTU - 266.

L'ANGLOIS, M. - (2) 4.

L'AUBE - ship 27; 28; (1) 9; (1) 10.

LABOUCHERE, MR. - 18; Secretary of State (2) 17.

LAMBTON HARBOUR - (1) 9.

LAMONT, A. - 84; claimant 90.

LAND - 9; 50; 3 classes of Native ownership 58; Australian interest in (2) 6; Australian purchase of (2) 5; Commission 133; Commissioners (2) 5; Commissioners Reports 76; Crown's right of preemption (1) 18; Deeds of feoffment (2) 4; (2) 8; Govt. uses of revenue raised 41; Govt. expenditure Sth Is. 5; Hobson's proclamation 23; Land & Survey Office 118; Land Fund 282; Land Purchases Department (2) 15; Land-fever (2) 4; NZ Co. permitted to purchase 105; Native Land Purchase Ordinance 281; Nelson deed 67; Nelson, presents to chiefs 62; Ngaitahu payments 220; Ngatiawa 65; NZ Co 42; Ordinance, 1841 (2) 5; Receiver of Land Revenues 127; 324; Schedule of acreage & payment 88; 89; 90; 91; 92; 93; Surveyor-General 16; Terms of Purchase, 1849 (2) 11; Third deed of purchase, NZ Co. 65; Trusts 183; Waste Lands 178; 179; 180; 181; 182; 186; 188; 189; 193; Waste Lands Board 114; 116; 119; 141; 164; annual tax on uncleared land 15; bartering (2) 5; claims, Canterbury (2) 23; commission proposed 41; conflicting Native claims 25; customary to give presents 56; deed, Maori version, Nelson 67; discount extended to NZ Co. 42; for military purposes 180; intention for land commission 41; land jobbing 25; land-jobbers (2) 7; natives prohibit land sales (2) 33; once sold, Maori must vacate 102; only to be sold to Crown 14; only to be sold to Govt. (2) 8; ownership requires occupation 55; payment in cattle 76; payments for, Ngaitahu 220; presents to Nelson Chiefs 62; price of, 149; proposed disposal of, 10; pukapuka (contract) 51; pukapuka (contracts) (2) 28; purchase of Nelson 49; purchaser must occupy 52; rate of sufficient payment (2) 5; reselling of land to settlers 15; reserves 51; restoration of land to Crown 15; rights of Natives recognised 36; sale of, Ngatiawa 65; sale of, uniform price (1) 11; see NATIVE LAND FRAUD PREVENT. (2) 36; see SPAIN, COMMISSIONER; see WASTE LANDS ACT; see also CONTRACTS 52; see also CROWN LANDS 109; see also DEEDS
OF PURCHASE; see also KAPITI DEED; see also LAND CLAIMS; see also NANTO-BORDELAISE; see also NEW ZEALAND COMPANY; see also New Zealand Company 30; see also Surveyor General; see also WASTE LANDS (1) 7; settlement of claims (2) 5; sold at 20s per acre, 1840 41; squatters on NZ Co. land 102; town sites, price of 118; uru uru whenua, land boundary (3) 39; use of NSW Commissioner's 40; use of revenue from (2) 2; use of revenue raised from (1) 23; waste lands 194; wasteland, sale of 34; wilderness, NZ Co. attiudes 51.

LAND CLAIMS RETURNS - cases of new Commissioner. 88; Southern Island 82; 88.

LAND CLAIMS ACT - (2) 6.

LAND CLAIMS ORDINANCES - 1840, 1841 (2) 6.

LAND COMMISSIONERS - cases heard by, decisions of 82; report on claims to land in NZ 76.

LAND EMIGRATION COMMISSION - Colonial 77.

LAND OFFICE - 233.

LAND PURCHASE DEPARTMENT - (2) 9.

LAND SALES - Southern chiefs attitude to 97.

LAND, EMIGRATION COMMISSION - Colonial 75.

LANDS - Act managing lands (2) 32; Waste Lands 177.

LANGLOIS - (1) 9.

LANGLOIS, CAPTAIN - 76; 87; Comte de Paris 28.

LANGLOIS, MONS. - 77; 78.

LANGUAGE - English taught to Natives (3) 52.

LAST, EDWARD - 204.

LAVAUD, CAPTAIN - 28; 28; L'Aube 27.

LAZAR, JOHN - 142.

LEADER, JAMES - 276.

LEANING TABLE - 278.

LEATHART - 92.

LEE, PROFESSOR - (2) 48.

LEGAL SYSTEM - see POYNTER, MR. 337.

LEGISLATURE - see GOVERNMENT.
LEGLISLATIVE COUNCIL - see GOVERNMENT.
LENA - 266.

LETTERS - see PUBLIC DOCUMENTS 5.

LETTERS PATENT 1840 - (1) 22.
LETTERS PATENT 1846 - (1) 22.

LEYVIEN, J.H. - 84; claimant 90.

LEWIS ISLAND - in Cook Strait 87.

LEWIS, C. - see map 314.

LEWIS, GEORGE W. - witness to Kapiti deed 65.

LEWIS, HENRY - Govt. Surveyor, see map 314; see map 316; surveyor 314; 316.

LEWIS, MR. - 306.

LIDDLE, JAMES - claimant 90.

LIEUTENANT-GOVERNOR - 252; 255; 256; 256; 257; 258; 259; 266; 269; 270; (1) 6; (1) 21; of NEW ULLSTER (1) 22; see EYRE; to be appointed for NZ (1) 5.

LIGAR, C.W. - 202; Surveyor 204.

LIGAR, MR. - 335; 336; see map 336.

LIGHTHOUSE RESERVE - 198; Otago Heads 197; 199; see map 198.

LILLWOOD, T. - 212; 212.

LITTLE LAGOON - see also WAIREWA 254.

LITTLE RIVER - 243.

LIVERPOOL - Te Pehi travels to (3) 47.

LIZARD - 27.

LLOYD, CAPTAIN - (2) 34.

LOAN ACTS, 1846 - (1) 25.

LOGIE, C. - 123.

LONDON - (1) 9.

LONG ISLAND - see KIETU.

LOOKER'S ON RANGE - see also KAIKOURA 246.

LORD COWLEY - see COWLEY
LORD DEVON - see DEVON

LORD GLENELG - see GLENELG

LORD GREY - see GREY.

LORD NORMANBY - see NORMANBY.

LORD RUSSELL - see RUSSELL.

LORD'S HARBOUR - (2) 17.

LOUISA JANE - of Aparima 276.

LOVELL, BARRACK-SERGEANT - (1) 24.

LOVELL, JAMES - 335.

LOWRY, RICHARD - 67; witness to Kapiti deed 65.

LUCAS, CHARLES - 319.

LYALL, D. - 211.

LYTTELTON - 261.

LYTTELTON HARBOUR - (3) 45.

MACANDREW, J. - 159.

MACANDREW, JAMES - 137; 144; 145; 156; 173; 286.

MACANDREW, MR. - 138; 154; 157.

MACARTHY, JOHN - Collector of Customs 211.

MACASSEY, MR. - 173.

McCLEAN, JAMES - claimant 93.

McCLEAN, MR. - 280.

McCLEYERTY, COLONEL - 71; 72; 73; (2) 9.

McCLEYERTY, LIEUT-COLONEL - 201; 202; see map 1, 206.

McCLEYERTY, MAJOR - appointed to aid NZ Co. 70.

McCLEYERTY, W.A. - 205.

McCORMICK, MR. - 146.

McCoy, ANNE - 276.

McCoy, HENRY JAMES - 276.

McDONALD, A. - 68; Union Bank of Australia 67.
MACDONALD, ALEXANDER - witness Case No. 374A 61.
MACDONALD, GEORGE - 313.
MACDONALD, JAMES - 313.
McDONALD, MR - 62; (2) 29.
McDONNELL, LIEUTENANT - 52; 53; (1) 3; British Resident, Hokilanga 51.
McGIBBON, J. - 84; claimant 90.
McGLASHAN, MR - (2) 11.
McINTOSH, C.H. - Secretary to Land Commission 68.
McINTYRE, A. - 84; claimant 90.
MACKAY, A. - 197; 231; 233; 256.
MACKAY, ALEXANDER - 199; 228; 244; 326; 329; 330; 331; 335; 338; 339; Native Commissioner 337; see Introduction; settler, Collingwood 325.
MACKAY, J. - 289.
MACKAY, J. Jun. - 333.
MACKAY, JAMES - (2) 16; Assistant Native Secretary 292; see Introduction.
MACKAY JAMES Jun. - 319; 321; 322; 323; 324; 325; 326; 327; 335; 336; 337; see map 336.
MACKAY, MR. - 198.
MACKEY, ALEXANDER - see MACKAY, ALEXANDER; see map 198.
McLEAN, COMMISSIONER - (2) 14.
McLEAN, DONALD - 274; 303; 304; 306; 307; 308; 327; 329; 330.
McLEAN, JOHN - 144; claimant 92.
McLEAN, MR - 243; 271; 273; 274; 293; 294; 295; 297; 298; 299; 300; 305; 309; 310; 311; 313; 314; 316; 318; 319; 321; 323; 326; 327; 333; 336; (1) 20; (2) 15; (2) 24; (2) 31; see Introduction.
MACSHANE, ALEXANDER - witness Case No. 374A 61.
MACQUARIE, GOVERNOR - (1) 3; (1) 6.
MACQUARRIE, GOVERNOR - 20.
MAENENE - see map 314.
MAEREWHENUA/MAEREWHENUA - 232.
MAGIE - of Aparima 276.
MAHA TARAPIKO - signatory 68.
MAHAENUI - see map 314.
MAHAKINUI - see map 316.
MAHAKIPAWA - 294; 297; 298; 306; see map 316; see map 320.
MAHER, MR. - 297.
MAHERA - 287.
MAHEW, W. - claimant 87.
MAHIKIPAUA - see PA MAHIKIPAUA 266.
MAHUHU - (3) 38.
MAHURANGI - (1) 12.
MAHURUHURU - 211; 239.
MAIHANA TE AO - 317.
MAIHOU - of Karoro 102.
MAIKAIA - 287.
MAIL - 129.
MAIN, D.F. - 144.
MAIRANGI PA - (3) 40.
MAITAPAPA - 104; 275; 277.
MAJORIBANKS, STEWART - (1) 8.
MAKA - 297.
MAKA TARAPIKO - 317; 333.
MAKAI'A - 285.
MAKARA - 266.
MAKAWAI - of Karoro 102.
MAKEKI, PAREMENA - see PAREMENA MAKEKI.
MAKETU - (2) 35; (3) 37.
MAKETU, HARAWIRA - 318.
MAKIKIHI - 217.
MAKIWAO - 288.
MAKOTITI - see map 320.

MAKOUA - 266.

MAKU, MAOTA - 309.

MAKUKU - 224.

MAKUNA, NUNA - see NUNA MAKUNA.

MALLIERES, MONS. - 77; 78; 79; 80.

MAMARI - (3) 38.

MAMUKU, RETIMANA TE WARE - see RETIMANA TE WARE MAMUKU.

MANA - 87; 266; Table Island 66.

MANA ISLAND - 50; 59; Table Island 64; not included in Kapiti deed 64.

MANAHÌ - 210; 309.

MANAIA - (3) 38.

MANAWA - (3) 43; (3) 44; a Ngaitahu chief (3) 42.

MANAWATU - 54; 59; 64; (1) 22.

MANAWETU - 66.

MANGAMANGARAKAU - 312; 313; 323; 326.

MANGAMAUNA - 64.

MANGAMAUNU - 66.

MANGAREPOREPO - see map 314.

MANGAWAI - (3) 37.

MANGONUI - (3) 38.

MANIHERA - 306.

MANIHERA TE AO - 312.

MANIHERA TE AOMARAMA - 317.

MANIHERA TE MUTU - 308.

MANIHERA TUTAKAI - 286.

MANIHERA TUTAKI - 285.

MANIHÈRE - 302.
MANSE STREET, DUNEDIN - map 110.

MANTELL, COMMISSIONER - 92; (2) 17; (2) 27.

MANTELL, MR. - 3; 114; 114; 117; 118; 119; 120; 123; 124; 128; 134; 136; 137; 138; 139; 140; 141; 144; 154; 155; 171; 192; 193; 197; 198; 207; 213; 221; 223; 227; 228; 231; 235; 238; 239; 241; 243; 243; 249; 249; 252; 252; 253; 255; 256; 256; 256; 256; 260; 261; 271; 273; 274; 281; 335; 337; (2) 11; (2) 12; (2) 13; (2) 14; (2) 16; (2) 18; (2) 23; see Introduction; see MATARA 277; see map 198; see map 254.

MANTELL, W. - 111; 116; 126; 131; 132; 147; 148; 149; 150; 152; 153; 155; 158; 214; 219; 220; 222; 225; 228; 232; 233; 235; 236; 237; 242.

MANTELL, W.B.D. - 146; 147.

MANTELL, WALTER - 110; 211; 212; 215; 216; 239; 254; 258; 259; 273; 275; 280; 282; 283; 284; 285; 286; 286; 287; 288; 337; see map 256; see map 258.

MANUKAU - (1) 20; (3) 37.

MANUKAU COMPANY - (1) 11.

MANUKAU HARBOUR - (1) 11.

MANUPIR - 307.

MANURAU - 66.

MAOPO - 210; 217; 242; see also O MAOPO.

MAORI LANGUAGE - 149; 240; 241; 242; 243; 256; 257; 258; 267; 285; 335; Deed of sale, Otakou 104; Interpreter 267; Otakou deed, Maori version 93; Wairau deed 204; deeds 67; 68; 210; 306; 308; 309; 311; 312; 314; 326; 310; 318; 325; see map 1 206; see map 2 206; documents in, 242; letter 237; 238; newspaper (2) 32; see HERSLETT, H.C.; see JENKINS, WILLIAM; see SERVANTES, W.F.G.; written (2) 18.

MAORI MESSENGER - newspaper 326.

MAPS - Bank's Peninsula 254; 256; 258; Croixelles region, Ngatikoa 320; Dunedin, part of 110; Havelock region, Ngatikoa 316; Middle Island southern extremity 288; Motupipi 336; Murihiku 288; Nelson 312; New Edinburgh Purchase 104; Ngatihoe Block 210; Ngatikoa Tribe 316; Otago Heads 198; Port Cooper 256; 258; Port Levi Block 258; Queen Charlotte's Sound, Ngatiaw 314; Taumarine 206; Waikawa 258; Waimate 234; Wairau River, Kaituna and Waitohi Valleys 206; Waitohi Purchase 266.

MARAЕA - 316.

MARAЕA KEIHAERE - 316.

MARAETAI - 287.
MARAHAU - 306; 306.

MARAINA - 309.

MARAITAIA - 285.

MARAMI - 315.

MARE - 287; signatory 66.

MARLBOROUGH - 329.

MARQUESAS ISLANDS - (1) 4.

MARQUIS OF NORMANBY - 12; 13; 18; 23; 24; 32; 34; see also NORMANBY, LORD (1) 5.

MARSDEN, MR. - (2) 8.

MARSDEN, REV. SAMUEL - (2) 18; Colonial Chaplain, N.S.W. (1) 3.

MARTIN - 203.

MARTIN, ARTHUR - 313.

MARTIN, SIR WILLIAM - (2) 17.

MARU - 257.

MARUIA RIVER - (3) 45.

MARY ANN - of Aparima 276.

MASON'S BAY - (2) 17.

MASSACRE BAY - 5; 55; 56; 59; 60; 63; 289; 290; 291; 292; 294; 295; 296; 305; 318; 319; 338; (1) 12; (2) 3; (2) 4; (2) 10; (2) 14; (2) 15; (2) 30; (3) 39; (3) 45; (3) 46; (3) 48; (3) 49; Chiefs of 62; compensation for 57; included in award to NZ Co. 57; land required for settlement 64; see also GOLDEN BAY 57; see also MOORDENAERS' BAY (1) 1; see also TAITAPU.

MASSACRE HILL - (1) 13.

MATA ROPHA - 309.

MATA TE HINA - 316.

MATA TE UTAKAU - 319.

MATAAAU - 103.

MATAAAU RIVER - 104.

MATAAUA - 104.

MATAHOURUA - (3) 37.
MATAKAEA POINT - 224.
MATAKA EA TE MARANGA - 318.
MATANGI AWEA - (3) 39.
MATAPARA - 66.
MATARA - 237; 242; see also MANTELL, W. 235.
MATARA CRAGS - 280.
MATARUA - 102.
MATATUA - (3) 37.
MATAU - 318; 319; see map 104; see Separation Point.
MATAU RIVER - 102; 104; see also MOLYNEUX RIVER (3) 49.
MATAURA - 103; 116; 269; 272; 277; 278; 279; 280.
MATAURA RIVER - 270; (3) 49.
MATAWAI - (1) 5.
MATENE MANAIA - 285.
MATENE MANIA - 286.
MATENE TE WHIWHI - 302; 307; 314; see map 2 206.
MATenga te Aupori - see also MATenga te Aupori 319.
MATENGa te Aupori - 322; (3) 46; see also MATENGa te Aupori 312.
MATENGa, Pirimona - see Pirimona Matenga; see also Pirimona Te Aupori.
MATENGa, RANIERA - see RANIERA MATENGa; see also RANIERA TE Aupori.
MATERAKATA - 266.
MATEWAI - 280; 285; 286.
MATEWAI HOANI - 285.
MATIAHA - 210; 218; 220; 229; 238; 291; (2) 14; see also TIRAMOREHU.
MATIAHA KITE - 308.
MATIAHA KUKEKE - 285.
MATIAHA Ta.UKEKE - 286.
MATIHA TE MAUNGA - 316.
MATIHA TIRAMOREHU - 5; 119; 212; 217; 219; 227; 228; 286; (2) 16.
MATIERE - see map 314.
MATINA KAURAPA - 311.
MATINA POARA - 316.
MATIORO - 310.
MATIRI - (3) 45.
MATIRIA - 315.
MATIU HURIHIA - 257.
MATIU NGAMUKA - 316.
MATIU TE KANEWA - 312.
MATIU TE MAKO - signatory 67.
MATIU TE WHATATU - 311.
MATOA - see map 104.
MATOA RIVER - see map 104.
MATOKETOHI - see map 104.
MATOKETOKE - 104.
MATOTUKUTUKU - Cape Wanhou 232.
MATOU RIVER - see also MATAU RIVER; see map 104.
MATTHIAS TIRAMOREHU - 211; 239.
MAUHARA, HENARE - see HENARE MAUHARA.
MAUHE, HOROMONA - see HOROMONA MAUHE.
MAUHE, TEOTI WIRA - see TEOTI WIRA MAUHE.
MAUKAATUA - .
MAUKAROPA - 279.
MAUKATERE - 245; 246.
MAUKU, HOROMONA - see HOROMONA MAUKU.
MAUNGAATUA - (2) 10.
MAUNGAATUA RANGE - 104.
MAUNGANUI - 316; 317; 333.

MAUNGATAUTARI - (1) 20.

MAURIRI, IHAKA - see IHAKA MAURIRI.

MAURITIUS - utilisation of convict labour 18.

MAUTAI, HEREMAIA - see HEREMAIA MAUTAI.

MAWEUHEU, HARIATA - see HARIATA MAWEUHEU.

MAWHERA - 220; 275; (3) 45; (3) 49; see also GREYMOUTH (3) 47.

MAYHEW, W. - claimant 92.

MEIHANA - 305.

MEIHANA TAKAPARI - 316.

MEIHANA TE AWIRO - 287.

MEIHANA TE WARE - 311; 313.

MEIHANA TEOTI - 312.

MEIHANA, HONE - see HONE MEIHANA.

MELBOURNE - 115.

MELBOURNE, LORD - (1) 8.

MENETA, KOKERE - see KOKERE MENETA.

MENZIES, MR. - 162; 172.

MERCURY BAY - (1) 2.

MERE PARAOA - (3) 51.

MERE REHUA - 316.

MERE TE RAPU - 313.

MERE WAKIHI - 316.

MEREANA - 307.

MERETOTO - Ships Cove 66.

MERI NAKO - 319.

MERI NGAKO - 306.

MERI NGARUINGA - 316.

MERI TANA MIHORE - 316.
MERI TAURANEA - 316.
MERI WEHI KORE - 276; 287.
MERVYN, D.H. - 144.
METANA TOA RANGATIRA - 311.
METEHAU - 216.
MEURANT, EDWARD - 60.
MEURANT, MR. - 56; 57; 63; interpreter for Commissioner Spain 55.
MI, IHAIA - see IHAIA MI.
MICHEL, JOHNSON & CO. - claimant 85.
MIDDLE ISLAND - 4; land claimed at 82; see also NEW MUNSTER (1) 7; see also SOUTHERN ISLAND 26.
MIHAKA - 311.
MIHIWAKA - 104.
MIHIWAKA - see map 104.
MIHIWAKA PUREHUREHU - 198.
MIHORE, MERI TANA - see MERI TANA MIHORE.
MIKONUI - 287.
MILFORD HAVEN - 3; 5; 79; 87; 93; 96; 210; 238; 239; 285; (2) 13; (3) 51; see also PIOPIOTAHI 287; see also WHAKATIPU WAITAI.
MILITARY FORCES - 26; 72; 201; (1) 16; (1) 17; (1) 19; British troops (2) 34; French send guns to Akaroa 27; Hobson requests 18; no troops available 19; officer in command of troops (1) 21; see MILITIA BILL; see PITT, MAJOR GENERAL; use of British warships 21.

MILITIA BILL - (1) 17.
MILLS, ALFRED - surveyor 117.
MIMI - (1) 20.
MIMI O KUPE - 309.
MINARAPA - 315.
MINERALS - 223; 224; greenstone 280; limestone 232; plumbago 289.
MIREKIREKI HAPE - 228.
MIRIAMĀ - 266; 266.
MIRIKAUWAKA - see map 104.

MIRITU - see map 314.

MISSIONARIES - 31; 32; 51; (1) 3; (1) 11; Catholics and colonisation 54; Christchurch Diocesan Maori Mission (2) 26; (2) 27; (2) 20; (2) 27; Christchurch Maori Mission (2) 20; Church Missionary Society (3) 51; Churchmen and colonisation 54; Hamburg Mission Institution (2) 20; (2) 21; Mission Stations (2) 18; (3) 50; North German Mission Society (2) 20; obtain land 52; Otago 125; station 218; stations formed (3) 52; Wesleyan 52; (2) 3; (2) 27; (2) 32; Wesleyans and colonisation 54; see CHURCH MISSIONARY SOCIETY; see FAIRBURN, Mr 52; see ROMAN CATHOLIC MISSION (2) 18; see WESLEYAN MISSION (2) 18; see also CREED, MR.; see also RELIGION 16; sovereignty delegated to 21; to be shown respect, NZ Co. 53; to witness land contracts 52.

MITAI RIVER - 203.

MITCHAM - 213.

MITCHELL, CHARLES - claimant 85; 90.

MITCHELL, MR. - (1) 11.

MITI KOWANGA - 266.

MITIKAKAU, PENEHAMIL - see PENEHAMIL MITIKAKAU.

MITTAWI - (3) 46.

MOA - (3) 38; 233.

MOA HILL - 272.

MOANA - 266.

MOARI, KATARAINA - see KATARAINA MOARI.

MOEPUKU - 104; on map 104.

MOERAKI - 5; 83; 89; 93; 117; 118; 119; 215; 216; 216; 217; 218; 220; 224; 227; 227; 228; 228; 229; 235; 236.

MOERAKI BAY - 117.

MOERAKI BLUFF - 224; 225.

MOERANGI - 251.

MOERANGI, KORIA - see KORIA MOERANGI.

MOHI HAMERO - 287.

MOHI NGAWATU - 267.

MOHI WAIKAWAU - 314.
MOHUA - Northern South Island (3) 44.

MOHI - 316.

MOKAIHARANUI, RANIERA - see RANIERA MOKAIHARANUI.

MOKAO - 64; 64.

MOKAPEKA - see map 314.

MOKAU - 66; 66; Port of (2) 9.

MOKAU RIVER - (2) 9.

MOKAU TE RANGIHAETA - 311.

MOKENA - 307.

MOKIHI - 217.

MOKI - 279.

MOKO - (3) 41; brother of Turakautahi (3) 40.

MOKO, HOHEPA - see HOHEPA MOKO.

MOKOA - on west of North Island 54.

MOKOMOKO - 104.

MOLESWORTH RIVER - Waitangi River 231.

MOLINEUX RIVER - on map 104; see also MOLINEUX RIVER 104.

MOLINEUX - 90; 91; 92; 93; 198; 275; 277; 277; 278; 279.

MOLINEUX BAY - 82; 84; 86; 89; see also KARORO 101.

MOLINEUX DISTRICT - 270.

MOLINEUX RIVER - 79; 86; 246; see also CLUTHA RIVER 269; see also MATAU RIVER (3) 49; 104; see also MOLINEUX RIVER.

MOLINEUX VALLEY - 272.

MONGONUI - (2) 35.

MONTEFIORE, J.B. - (3) 48.

MOORDENAERS' BAY - see also MASSACRE BAY (1) 1.

MOORE, ISAAC - (2) 17; claimant 90.

MOORE, ISSAC - claimant 85.

MOORE, MR. - (1) 12.
MOREA - 314.
MORGAN - claimant 86; 92.
MORPHY - claimant 93.
MORSE, MR. - 203; see map 1 206.
MOTHER ROBINSON'S TOOTH - 225.
MOTU KAWA - see map 2 206.
MOTUARA ISLANDS - 66.
MOTUEKA - 55; 56; 57; 61; 63; 66; 290; 294; 295; 297; 302; 304; 306; 306; 306; 309; 312; 317; 335; 336; (1) 12; (2) 3; (2) 3; (2) 19; (2) 29; (2) 30; (3) 39; Spain's settlement 62; land required for settlement 64; lands awarded to NZ Co. 60; sale of land to NZ Co. 67; see map 316; 320; 336.
MOTUHIKAREHU - 253; 256; 257.
MOTUKAWA - 66.
MOTUMOTU - 217.
MOTUNGARA - 66.
MOTUNGARARA - 64; see map 314.
MOTUNOU - 247.
MOTUPARA - see map 314.
MOTUPIHI - (3) 47.
MOTUPIPI - 4; 4; 57; 290; 293; 295; 296; 305; 306; 309; 317; 318; 319; 322; 335; 336; 337; 338; 339; see map 336.
MOTUPIPI PA - refuse to accept compensation 63.
MOTUPIU - 285; 287.
MOTURATA - 104; see map 104.
MOTUROA - 64; 66.
MOUMOURANGI - see map 314.
MOUNT EGMONT - (1) 2; (1) 10; see also TARANAKI.
MOUNT HAMILTON - see also TAKORCWA KAIAKA 279.
MOUTERE - 67; 68; 309; (1) 12; (2) 3; (2) 29; land required for settlement 64; lands awarded to NZ Co. 66.
MUHI MUNANA - 313.
MUKUAITA - 66.

MUNANA, MUHI - see MUHI MUNANA.

MURDERERS' BAY - see also MASSACRE BAY (1) 1.

MURE - 65.

MURIHAKA - see MURIHIKU

MURIHIKU - 4; 116; 116; 216; 273; 274; 275; 277; 280; 281; 282; 283; 284; 285; 286; 287; purchase (2) 14; 271; 288; see map 288.

MURIHIKU BLOCK - purchase of 110.

MURPHY, MR - Police Magistrate 27.

MURPHY, P.O.B. - 87.

MURPHY, R.A. - claimant 87.

MURRAY, JOHN - 103.

MURU - (3) 43.

MURUTU, HIPIRINI - see HIPIRINI MURUTU.

MUTAPA - Chief Massacre Bay 62.

MUTTON BIRDS - 2(17); see also TITI.

MacDONALD, ALEXANDER - witness, Case No. 374A 61.

MacSHANE, ALEXANDER - witness, Case No. 374A 61.

McDONALD, MR - 62.

NEW ZEALAND CHURCH SOCIETY - (1) 11.

NEW ZEALAND COMPANY COLONIZATION ACT - 179; 185.

NEW ZEALAND NATIVE RESERVES ACT 1856 - 180.

NA TIPI TE NIHI NIHI - 311.

NAIHI - 307.

NAIRN, CHARLES - 274.

NAIRN, MR. - 232; 278; 279; 280.

NAKO, MERI - see MERI NAKO.

NAMARI - 313.

NANGIHO, TE REI - see TE REI NANGIHO.

NANTES - (2) 4.
NANTO-BORDELAISE COMPANY - 78; 80; 254; 255; 256; (1) 9; (2) 4; (2) 13; (2) 16; Banks Peninsula claim Schedule 75; Crown grant to 77; NZ Co. to purchase, interests 78; claim 76; 249; 250; claimant 87; 93;.

NAORANGA - 65.

NAPIER - (2) 35.

NAPUA - 267.

NASH, D.F. - claimant 85; claimant 91.

NATANA KI - 67; 67.

NATANAHIRA - 287; see also NATANAHIRA WARUWARUTU.

NATANAHIRA WARUWARUTU - 212; 228; 237; 238; 239; 240; 241; 242.

NATIONAL FLAG - 20; 22.

NATIVE - effect of warfare (2) 24.

NATIVE AFFAIRS - (2) 18; Minister of 323; 333; 334; see COOPER, G.S. (2) 17; see MACKAY, JAMES.

NATIVE CIRCUIT COURT ACT 1858 - (2) 33.

NATIVE COMMISSIONER - see MACKAY, ALEXANDER.

NATIVE CULTIVATIONS - 71.

NATIVE DEPARTMENT - 124; 125; 143; 146; 151; 157; 158; 197; 233; 329; 330; 331; 338; Under Secretary 231; see map 234.

NATIVE DISTRICT REGULATIONS ACT 1858 - (2) 33.

NATIVE LAND COURT - 234; 237; 243; (2) 12; (2) 13; (2) 23; (2) 24.

NATIVE LAND FRAUD PROTECTION ACT - (2) 35.

NATIVE LANDS FRAUD PREVENTION ACT 1870 - (2) 35.

NATIVE LANDS ACT - 182; 193; (2) 31; (2) 36.

NATIVE LANDS ACT 1862 - (2) 9; (2) 32.

NATIVE LANDS ACT 1865 - 244; (2) 24.

NATIVE LANDS ACT 1867 - 244.

NATIVE LANDS COURT - 199; 244; 338; (2) 12; (2) 31.

NATIVE MINISTER - 237; 241; 242; 335; 336; see RUSSELL, COLONEL.

NATIVE OFFICE - see RICHMOND, J.C.
NATIVE RESERVES - commissioner of 329.

NATIVE RESERVES ACT - 114; 116; 117; 118; 134; 134; 135; 141; 193; 194.

NATIVE RESERVES ACT 1856 - 182; 183; 186; 329; 330; 335; 336; 338;
339; (2) 16; (2) 29; (2) 31.

NATIVE RESERVES AMENDMENT ACT - (2) 31.

NATIVE RESERVES FUND - 158.

NATIVE RIGHTS ACT 1865 - (2) 35.

NATIVE SCHOOLS ACT - (2) 19; (2) 22.

NATIVE SECRETARY - 132; 321; 322; 324; 327; 333; 334; 335; 337; 337;
(2) 31; see KEMP, HENRY TACY; see SHORTLAND,
EDWARD; see SMITH, T.H.; see STRODE, Mr 125; see map 336.

NATIVE TRUST - (2) 16.

NATIVE TRUST ORDINANCE - (2) 29; (2) 30.

NATIVE WARS - Hobson’s concern with 18; Normanby’s attitude to 19; see also
WAR/WARFARE.

NATIVES - adopt European foods (2) 27; appoint a King (2) 33; British
instructions regarding 35; cannibalism (3) 51; cause of depopulation
(2) 27; Christianity (2) 2; clothing (1) 20; (2) 27; clothing, European
(2) 26; clothing, Pakeha (3) 52; communistic (2) 32; Commissioner
of 140; desecration of a chief’s bones (3) 40; diet (2) 25; (3) 52;
effect of immigration on 51; employment of 53; 265; (2) 31; english
language (2) 18; (2) 19; funeral service (1) 20; funerals (2) 27;
genealogy, Wakapapa-tupuna (3) 38; government protection 133;
half-caste families (2) 21; half-castes (2) 21; (2) 31; “ignorance of”,
land sales 51; infertility (2) 25; influence of whaleers on 103; interests
of, to be protected 110; King Movement (2) 33; labour desired by
colony 33; land rights recognised 35; 36; laziness of 231; mahinga kai
(2) 23; mortality (2) 21; mutton-bird expedition (2) 17; 125; mutton-
birds, dried shark (2) 27; NZ Co. attitude to 51; oratory of (1) 20;
Otago 141; 143; (2) 20; pre-Maori inhabitants (3) 38; pre-Maori
settlement of N.Z. (3) 38; prohibit land sales (2) 33; rangatira class
52; representation, House of Reps (2) 35; rights of, to be respected
96; 100; runanga (2) 34; see also CHIEFS; see also TRIBES 33;
southern chiefs 97; status of land designated to, 180; suicide,
infanticide (2) 25; the character of (2) 27; traditional history (3) 37;
Tuckett upsets 99; warfare (2) 25; warfare threatened 220;
witchcraft, polygamy (2) 25; working habits (2) 27.

NATURAL RESOURCES - makes colonization attractive 13.

NAUI - Chief, in Massacre Bay area 62.

NAUMIA - 313.

NAYTI - 52; example to Natives, NZ Co. 54; interpreter for NZ Co. 50.
NECK, the - (2) 17.

NEHANA PAKIRA - 314.

NEIL - claimant 87; claimant 92.

NELSON - 4; 4; 59; 71; 79; 186; 203; 204; 207; 208; 209; 212; 213; 239; 263; 264; 265; 267; 273; 289; 293; 294; 295; 297; 298; 299; 300; 301; 302; 302; 303; 304; 306; 309; 310; 316; 317; 318; 322; 323; 327; 331; 333; 334; (1) 1; (1) 10; (1) 11; (1) 12; (1) 13; (1) 14; (1) 15; (1) 21; (1) 22; (1) 23; (1) 24; (2) 3; (2) 4; (2) 9; (2) 10; (2) 13; (2) 15; (2) 20; (2) 24; (2) 28; (2) 30; (3) 39; NZ Co. crown grant, boundaries 69; NZ Co. purchase of 49; Native Reserves (2) 29; (2) 31; Ngatiota dispute sale of 55; Spain awards land to NZ Co. 60; Spain's report on NZ Co. claim 54; Superintendent 289; 290; 291; 337; 335; Wakefield, gifts to Natives 56; 62; compensation 57; 63; conquerors, paid by Wakefield 56; deed of sale 67; education (2) 19; goods given for purchase of 61; hearing over Nelson ownership 60; land required for settlement 64; merchandise for Nelson, NZ CO. 54; ruling in favour of NZ Co. 57; sale of land 68; second deed, 1839, Ngatiwa 55; see also WAKATU (2) 39; selling land without ownership 57; signatories to the sale of 65.

NELSON COLLEGE - 335; 335; 336; 337; 338; 339; see map 336.

NELSON DISTRICT - place names in 64.

NELSON EDUCATION FUND - (1) 12.

NELSON EXAMINER - newspaper 102.

NENE - (1) 4.

NENE, TAMATI WAKA - see TAMATI WAKA NENE, WAKA NENE, WALKER NENE.

NENE, WAKA - see WAKA NENE, TAMATI WAKA NENE, WALKER NENE.

NENE, WALKER - see WALKER NENE, WAKA NENE.

NETA - 266; 266; 266.

NEVIS, ISLAND OF - (1) 14.

NEW EDINBURGH - 95; 97; 98; 99; 100; 101; 102; (1) 23; (2) 10; (2) 12; (2) 13; map of 104.

NEW HOLLAND - 33.

NEW LEINSTER - (1) 7; (2) 2; see also STEWART'S ISLAND.

NEW MUNSTER - 75; 95; 96; 97; 99; 100; 101; 102; 126; 179; 185; 186; 188; 189; 205; 207; 208; 212; 216; 221; 222; 223; 252; 269; (1) 7; (1) 21; (1) 22; (1) 25; (2) 2; Local Legislative established (1) 24; see SOUTHERN & MIDDLE ISLAND.
NEW PLYMOUTH - 39; 186; 294; 309; (1) 10; (1) 11; (1) 15; (1) 24; (2) 28; (2) 34; (2) 35.

NEW PLYMOUTH COMPANY - (1) 10.

NEW RIVER - 85; 86; 90; 91; 116; 269; 270; 272; 273; see also ORETI (2) 14.

NEW SOUTH WALES - 12; 17; 20; 22; 23; 24; 26; 31; 34; 34; 51; 53; 178; (1) 4; (1) 5; (1) 6; (1) 11; (1) 11; (1) 13; (1) 16; (1) 17; (2) 2; (2) 2; (2) 5; (2) 5; (2) 6; (2) 18; (3) 48; Commissioner for NZ 17; Courts of, extended to NZ 20; Governor of 22; (1) 2; Land Claims Bill 92; Legislative Council 92; Legislative Council opening 40; NZ becomes independent from 29; NZ to become dependency of 15; boundaries of, extended to NZ 22; chaplains and teachers from 18; jurisdiction extended to N.Z. (1) 3; relation of colony to 14; relationship of NZ colony to 13; to administer colony 19.

NEW ULSTER - 188; (1) 7; (1) 21; (1) 22; (1) 25; (1) 26; (2) 2; see also NORTHERN ISLAND.

NEW ZEALAND - discovery of (1) 1; independence from Britain (1) 7.

NEW ZEALAND ASSOCIATION - 11; 51; (1) 8.

NEW ZEALAND COLONIZATION COMPANY - (1) 8.

NEW ZEALAND COMPANY - 3; 4; 5; 27; 34; 37; 41; 62; 68; 73; 79; 95; 96; 96; 98; 100; 101; 102; 103; 104; 112; 113; 114; 117; 128; 129; 130; 131; 133; 135; 135; 139; 140; 144; 148; 149; 153; 154; 171; 174; 179; 181; 183; 184; 185; 186; 188; 189; 190; 191; 193; 198; 201; 202; 203; 208; 209; 210; 212; 213; 219; 221; 222; 239; 249; 250; 251; 253; 254; 255; 256; 263; 264; 265; 267; 284; 289; 295; 305; 335; (1) 7; (1) 8; (1) 9; (1) 10; (1) 11; (1) 12; (1) 14; (1) 15; (1) 19; (1) 20; (1) 21; (1) 23; (1) 24; (1) 25; (1) 26; (2) 1; (2) 2; (2) 5; (2) 8; (2) 9; (2) 10; (2) 11; (2) 12; (2) 13; (2) 14; (2) 15; (2) 16; (2) 16; (2) 20; (2) 21; (2) 28; (2) 29; (2) 30; (2) 31; (2) 36; Charter of Incorporation 40; 42; (2) 3; French at Akaroa 78; Native reserves 51; Nelson out of court settlement 61; Spain awards Nelson land 60; Spain’s report on Nelson claim 54; Third deed of Purchase 66; 65; and Nanto-Bordelaise Co. 93; attitude to rangatira class 52; buys out French, Banks Pen, 78; claimant 87; dispensation to buy land 105; functions of 43; not to give "trifles" for land 52; objectives given to Wakefield 50; policy on employees 53; purchase of Nelson, schedule 49; purchase of land, Nelson 67; second deed, includes Nelson 64; see HARRINGTON, MR. 129; 137; see Introduction; see KETTLE, C.W.; see WHAKAMINENGA O NIU TIRENI 238; see also WAKEFIELD, CAPTAIN; see also WAKEFIELD, COLONEL; see map 198; supplemental Charter, 1843 48.

NEW ZEALAND GAZETTE - (2) 33; (2) 35.

NEW ZEALAND GOVT. ACT 1840 - 189.

NEW ZEALAND HOUSE - 37; 40; 42; 69; 78; 144.

NEW ZEALAND LAND COMPANY - 19; 65; 66; (1) 8; directors of 21.
NEWSPAPERS - in Maori Language (2) 32; see GAZETTE (2) 32;
GOVERNMENT GAZETTE (1) 18; MAORI MESSENGER;
NELSON EXAMINER; NEW ZEALAND GAZETTE; OTAGO
GAZETTE; OTAGO WITNESS; WELLINGTON GAZETTE.

NEWTON, CAROLINE - 276.

NEWTON, JACOB - 276.

NG - see also alternate spellings: K & G.

NGA MANA, PARURE - see PARURE NGA MANA.

NGA PAKAWA - signatory 66.

NGA PIKO - assists crown, Nelson purchase 57.

NGA PUNGAREHU - 266; 266.

NGA REWA - signatory 67.

NGA ROIMATA - Te Maiharanui's daughter (3) 48.

NGA WATU - 266.

NGA-OHE, PIRIPI - see PIRIPI NGA-OHE.

NGAHU - 66.

NGAHUE - (3) 44.

NGAHUI, PERA - see PERA NGAHUI.

NGAHURU - see map 314.

NGAITAHU - 3; 4; 5; 104; 145; 146; 147; 148; 151; 152; 154; 155; 156;
158; 207; 210; 213; 214; 216; 221; 227; 228; 238; 239; 256;
274; 280; 285; 288; 291; 301; 307; 308; 312; 313; (1) 20; (2) 13;
(2) 16; (2) 17; (2) 18; (2) 23; (2) 24; (3) 39; (3) 42; (3) 43; (3)
44; (3) 45; (3) 46; (3) 47; (3) 49; (3) 50; (3) 51; conflict with
Ngatimamo (3) 41; population, reserves, payments 220; see KEMP
PURCHASE; see also KAITAHI.

NGAITAHU DEED - see also KEMP'S PURCHASE (2) 31; map 210.

NGAITAHU REFERENCE VALIDATION ACT - (2) 24.

NGAITARA - (3) 40.

NGAI'TUAHURIRI - 227; (3) 39.

NGAI'TUAHURIRI - 219.

NGAKETE, TE MEIHANA - see TE MEIHANA NGAKETE.

NGAKI, ROANA - see ROANA NGAKI.
NGAKO, MERI - see MERI NGAKO.
NGAKUTA - 298; see map 314.
NGAKUTU - 66.
NGAMAHANGA - 315.
NGAMAMAKU - Chief, in Nelson district 62.
NGAMOTU - 66; 308; 309; 310.
NGAMOTU, TARANAKI - see TARANAKI NGAMOTU.
NGAMUKA, MATIU - see MATIU NGAMUKA.
NGANARANGI, PARAMENE - see PARAMENE NGANARANGI.
NGANIHO, REI - see REI NGANIHO.
NGAPA, TAMIHANA - see TAMIHANA NGAPA.
NGAPAKI, HOANI - see HOANI NGAPAKI.
NGAPAKI, HOHEPA - see HOHEPA NGAPAKI.
NGAPAKI, RIWAI - see RIWAI NGAPAKI.
NGAPARU, RETIMANA - see RETIMANA NGAPARU.
NGAPARU, PENE WIEMU - see PENE/WIEMU NGAPARU.
NGAPARU, WIEMU - see WIEMU/PENE WIEMU NGAPARU.
NGAPIKO - 61; 290; a chief, Motueka (2) 3; receives payment for land 68; signatory 67.
NGAPOKI - of Ngatirarua 327.
NGAPUHI - (1) 17; (2) 25; (3) 38; (3) 39; (3) 46; (3) 51.
NGAPI - 58.
NGAPUKE, HOHEPA - see HOHEPA NGAPUKE.
NGAPUKI - Chief, in Nelson district 62.
NGARA - 266.
NCARAWHARE, TE TURA - see TE TURA NGARAWHARE.
NGAREWA - 310.
NGAREWA, TAMATI - see TAMATI NGAREWA.
NGARONGOMATE - 257; 259.
NGARUAHINE - see also RUAHINE 314; see map 314.
NGARUINGA, MERI - see MERI NGARUINGA.

NGARUNA, TIPENE - see TIPENE NGARUNA.

NGATAE, TAITUHA - see TAITUHA NGATAE.

NGATAHA - 303.

NGATI - (1) 8.

NGATIAPA - 299; 300.

NGATIAREWAERE - 315.

NGATIAWA - 3; 4; 4; 55; 58; 59; 68; 203; 274; 293; 295; 297; 298; 301; 302; 303; 305; 307; 308; 309; 310; 314; 322; 324; 325; (2) 3; (2) 15; (3) 38; (3) 46; (3) 48; (3) 50; Map with Deed of Sale 314; NZ Co. 3rd deed, signatories 66; Spain's settlement for Nelson 62; Third deed of purchase, NZ Co. 65; deed at Queen Charlotte Sound 60; deed of sale 308; hapu of 315; principal men of 315.

NGATIHANGAI - 315.

NGATIHAPA - (3) 38; (3) 45; (3) 46.

NGATIHAU - (3) 39.

NGATIHAUMIA - 315; (3) 50.

NGATIHINE - 315; 315.

NGATIHINEHURU - 315.

NGATIHINEPAKOKO - 315.

NGATIHINERAUHUI - 315.

NGATIHINETUHI - 299; 300; 315.

NGATIHITINGA - 315.

NGATIKAHUHUNU - 59.

NGATIKAHUKUNU - (3) 41.

NGATIKAHUKURA - 315.

NGATIKAHUNUNU - (3) 46; (3) 47.

NGATIKAIA - 302.

NGATIKAITUAROA - 315.

NGATIKINOHAKU - 324.
NGATIKOATA - 4; 293; 297; 300; 306; 307; 308; 316; 317; 333; (3) 47; (3) 50; map with Deed of Sale 320.

NGATIKOMAKO - 315.

NGATIKOROMOKO - 315.

NGATIKOWHATA - 295.

NGATIKUIJA - 4; 293; 297; 300; 306; 306; 316; (3) 46; deed of sale 315; see map 316.

NGATIKURI - (3) 40.

NGATIKURU - 315.

NGATIMAKO - 243; 244.

NGATIMAMOE - 5; 145; 146; 147; 148; 154; 155; 158; 216; (3) 40; (3) 41; (3) 42; (3) 43; (3) 44; (3) 45; (3) 50; (3) 51; (3) 51.

NGATIMANIAPOTO - (1) 20.

NGATIMATUI - 67.

NGATIMAWAHINE - 315.

NGATIMOEAO - 315.

NGATIMOKOTOREA - (3) 38.

NGATIMUTUNGA - (3) 46.

NGATIPAI - 315.

NGATIPAPA - 321.

NGATIPOPOIA - 315.

NGATIPUREI - 315.

NGATIRAHIRI - 4; 5; 298; 298; 299; 309; 315; 315; 315.

NGATIRANGI - 315.

NGATIRARUA - 4; 291; 293; 295; 296; 300; 301; 307; 308; 312; 318; 321; 322; 323; 324; 325; 326; 327; 327; (3) 46; (3) 50; see map 312.

NGATIRAUUKAWA - 58; 59; 273; (3) 46.

NGATIRUAIKIHIHIKI - 243; 244.

NGATIRUAKI - 315.

NGATIRUANUI - 64; 66; (3) 40.

NGATIRUNGAROU - 315.
MACKAY'S COMPENDIUM

INDEX TO VOLUME 1

CONTINUED ON INDEX MICROFICHE

NO. 2
NGATITAI - 315.

NGATITAMA - 4; 4; 4; 4; 5; 273; 274; 291; 293; 295; 296; 300; 301; 302; 312; 317; 318; 318; 321; 322; 323; 324; 325; 326; 333; 334; (2) 15; (3) 46; (3) 48; (3) 50; see map 312.

NGATITAMAREREAH - 315.

NGATITARAHARAU - 315.

NGATITAREPA - 315.

NGATITAREWA - 315.

NGATITEAOWAINA - 315.

NGATITETEREMATO - 315.

NGATITΕΕΡ - (1) 20.

NGATITIWITI - 315.

NGATITOA - 3; 4; 54; 55; 72; 201; 202; 202; 203; 204; 205; 208; 210; 213; 214; 216; 221; 227; 228; 229; 253; 273; 274; 293; 295; 297; 298; 299; 300; 301; 302; 303; 304; 307; 308; 310; 311; 316; 317; (1) 19; (1) 20; (2) 3; (2) 4; (2) 9; (2) 12; (2) 13; (2) 14; (2) 15; (2) 16; (3) 44; (3) 46; (3) 47; Ngaitahu captives liberated (3) 50; bona fide possessions of 59; conquers land 58; see map 266; see map 1, 206.

NGATITU - 315.

NGATITUHAO - 315.

NGATITUAHURIRI - see also NGAITUAHURIRI (3) 45.

NGATITUHEKARANGI - 315.

NGATITUUITI - 315.

NGATITUMANIA - (3) 50.

NGATITUMATAKOKIRI - 321; (3) 39; (3) 44; (3) 45.

NGATITUPARIKINO - 315.

NGATITURAPUNANUI - 315.

NGATITYA - 239.

NGATIUENUKU - 315.

NGATIWAERENG - (3) 44.

NGATIWI - 315.

NGATIWAIPAREA - 315.
NGATIWAIRAKA - 315.
NGATIWAIRANGI - (3) 39.
NGATIWAIRAE - 315.
NGATIWHATUA - (3) 38.
NGATOROIRANGA - (3) 37.
NGAUMUNAUNAU - 243; 244.
NGAWAKA, RAWIRI - see RAWIRI NGAWAKA.
NGAWARANGI, PARAMENA - see PARAMENA NGAWARANGI.
NGAWATU, MOHI - see MOHI NGAWATU.
NGAWHENA, WITIKAU - see WITIKAU NGAWHENA.
NGAWHENUA, PARU MENA - see PARU MENA NGAWHENUA.
NGAWHEUA - 298.
NICHOL, PETE - 307.
NICHOLS, DAVID - 309.
NIHANA - 266.
NIHIL, WILLIAM - see WIREMU HAPE.
NIHO - 321; (3) 47; (3) 49; chief (3) 46.
NIU TIRENI - 67; pronunciation of "New Zealand" 20.
NOA PAKA - 211; 218; 220; 239.
NOA TE KOKI - 316.
NOEMA, JOHN - 288.
NOHOMUTU - 257; 259.
NOHOMUTU, TIEMI - see TIEMI NOHOMUTU.
NOHOROA - 203.
NOHOROA (WATERHOUSE) - 203.
NOHORUA - 65.
NOPERA - 266; 307.
NOPERA KAOMA - 307.
NORFOLK ISLAND - 20; (1) 2.
NORMANBY, LORD - (1) 6; see also MARQUIS OF NORMANBY (1) 5.

NORTH AMERICA - (1) 21; (2) 25; Indian reserves 51; Indians (2) 26.

NORTH CAPE - (3) 38.

NORTH ISLAND - land purchased by missionaries 51.

NORTHERN ISLAND - see also NEW ULMER (1) 7; sovereignty proclaimed 26; to be called New Ulster 37.

NUGGETS - (2) 10.

NUGGETS, THE - see map 104.

NUHAIYVA, KING OF - (1) 4.

NUI, ERUERA - see ERUERA NUI.

NUKU, AMIRIA - see AMIRIA NUKU.

NUKU, HAMIOIRA - see HAMIOIRA NUKU.

NUKUAIAATA - 64.

NUKUHORO, KARO - see KARO NUKUHORO.

NUNA MAKUNA - 316.

O MAOPO - 238.

O MOKAU - 333.

O'CONNELL, M.C., Sir - 201.

O'FARREL, ROLLA - claimant 85.

O'FERRALL, ROLLA - claimant 91.

O'NEILL, CHARLES - 144.

OAMARU - 232.

OAMARU POINT - 225.

OARIU - 66.

OCCUPATIONS - of people at Oue & Aparima 276.

OERA - 197.

OGILVIE, W.B. - 141.

OHAE - 255.

OHARIU - 64.

OHAU, INIA - see INIA OHAU.
OHEKIA - (2) 17.
OHOEKA - 64; 66.
OHOKIA - see map 254.
OIHOA - 76; 78; see map 254.
OKAHAU - 236.
OKAHAU POINT - 235.
OKAHU - 220; 275.
OKAIHAE - 198; St Michael's Mount, on map 104.
OKAIHE - 104.
OKAKA - 279.
OKAKURI - see map 314.
OKARAKI - 256; 257.
OKARITO - 220; 275.
OKARURU - see map 258.
OKEDEN, D.P. - claimant 87.
OKEDEN, P.D. - claimant 92.
OKEHINA - see map 258.
OKETEUPOKO - 257.
OKIWI - 316; 317; 317; see map 320.
OKOKOTA - 66.
OKORO, HOANI - see HOANI OKORO.
OKUI - 279.
OKUKARI - 66.
OLIVER, A. - claimant 93.
OLIVER, CAPTAIN - 209.
OLIVER, N.A. - 238.
OMAHANGA - 64; Port Gore 66.
OMAHUI - 116.
OMAKAU - see map 320.
OMAKIWA - see map 314.
OMATA - Otago Heads Reserve 4.
OMATE - 103; reserved by Otakou Maori 104.
OMAUI - 273; 275; 277; 280; 285; 287.
OMEKAPA - 295.
OMERI - 64; 66.
OMIHI - 64; 66; (3) 47.
OMOKAU - 316; 317.
ON THE LANDON - 232.
ONAHAREA - see map 314.
ONAHOU - 310; see map 314.
ONAMARU - see also CABBAGE BEACH 299; see map 314.
ONAPOPOTI - see map 314.
ONAPUA - see map 314.
ONATAIKA, WIREMU - see WIREMU ONATAIKA.
ONATOA - see map 314.
ONAUHU - see map 314.
ONE - 116.
ONE KARAKA - 225.
ONEHOU - see also ONAHOU 310.
ONEHUNGA - (2) 35; see map 314.
ONEKAKA - 5.
ONEKAKARA - 224.
ONEKOPUA - 197.
ONEMAHANGA - 310.
ONETANA - 64; see also Cape Farewell.
ONETAUA - 66.
ONETEA - 316; 317; 317; see map 320.
ONETOTA - 273.
ONETOTO - 116; 287.
ONEWAITI - see map 314.
ONGOTARA - (3) 47.
ONUKU - 255; see map 254.
ONUMAI - see map 104.
ONUMIA - 104.

OPAWA RIVER - see map 1; see also OTAPAWA RIVER 206.
OPARA - see map 258.
OPAWA - 256; 257.
OPERANGO - 64.
OPOTIKI - (2) 35.
OPUA MOHI - 66.
OPUTAE - see map 104.
ORAKA - 116; 273; 275; 277; 280; 285; 287.
ORAKA BAY - see also COLACK'S BAY 278.
ORAKAU - see map 320.
ORAKAUHAMO - see map 316.
ORAKAUNAMA - see map 320.
ORDER IN COUNCIL - 329; 330; 335; 339; (2) 35.
ORETI - 269; see also NEW RIVER (2) 14.
ORETI ESTUARY - 278.
ORIWIA - 307.
ORIWIA HURUMUTU - 311.
ORMOND, J.D. - 205.
ORUAPUPUTA - 306.
ORUAPUPUTA - see map 316.

OTAGO - 3; 4; 79; 79; 83; 99; 133; 134; 135; 136; 137; 138; 139; 141;
142; 143; 144; 145; 148; 149; 151; 152; 153; 154; 156; 157;
159; 161; 162; 163; 164; 168; 171; 172; 173; 174; 176; 180;
182; 184; 185; 186; 189; 190; 191; 193; 195; 197; 198; 207;
208; 209; 210; 212; 218; 218; 219; 223; 225; 233; 239; 245;
251; 253; 269; 270; 271; 273; 275; 277; 279; 281; 282;
283; 284; (1) 24; (1) 25; (1) 26; (2) 10; (2) 13; (2) 16; (2) 20; (2)
21; (2) 24; (2) 24; (2) 25; (2) 28; (3) 51; (3) 51; Crown grant to
NZ Co. 105; Deed of Sale English/Maori trans 104; Manse 113;
Mechanics Institute 113; Octagon Reserve 113; Provincial Govt.
113; Superintendent 114; cultivations 198; land claim 89; 91; 93;
purchase of 103; 117; 118; 126; 133; see HYDE, HARRIS J. 127;
see also NEW EDINBURGH; see also OTAKO; see also
WAIRARAPA 95.

OTAGO ASSOCIATION - 112; 133; 135; 144; 171; 184; 185; 186; 187; 189;
190; 193; (1) 23; (2) 10; (2) 11; (2) 12.

OTAGO GAZETTE - 133.

OTAGO HARBOUR - 88; 101.

OTAGO HEADS - 117; 118; 119; 197; (2) 10; (2) 20; (2) 20; (2) 22; see map
198.

OTAGO PURCHASE - 135; 141.

OTAGO SETTLEMENT - (2) 9.

OTAGO WITNESS - Office of, (enclosure 1) 110.

OTAHEITE - (1) 4; British subjects in 22.

OTAHUHU - (1) 20.

OTAKI - 55; 59; 64; 66; 264; (1) 20; (2) 35; (3) 50; (3) 51.

OTAKO - 61; 82; 102; 104; 152; 197; 210; 215; 238; 273; 285; 287;
(3) 44; (3) 49; Straits of 84; Symonds purchase 95; deed of sale 103;
124; islands of 104; see also OTAGO; see also SYMONDS,
CAPTAIN; surveying of 97.

OTAKO HARBOUR - 198; see also PORT CHALMERS.

OTAKO HEADS - 125; 199; see also OTAGO HEADS.

OTAKO PURCHASE - Deed of Sale, English/Maori 104; boundaries 101;
102; 104; witnesses to deed of sale 104.

OTAMAU - 308; 309.

OTANERUA - see map 314.

OTANIRITO - see map 258.

OTAPAWA RIVER - see map 1, also OPAOWA RIVER 206.

OTARAWA - 309.

OTARUA - 310.
OTAUIRA - see map 104.
OTAUTAU - 280.
OTAUWAO - see map 258.
OTAWIRA - see also ROBIN HOOD'S BAY 298.
OTEAKI - 232.
OTEKAKEKE - 232.
OTEMUNUI - see map 198.
OTEPOH - 217; 288.
OTERAIA WOOD - 278.
OTERAKIHUA - see map 198.
OTERANGA - 66.
OTERAUMAKE - 278; 279.
OTEREWA - 278.
OTIKIHA - see map 198.
OTOKIA - see map 104.
OTONGA - see map 314.
OTUHEREKIO - 256; 257.
OTUPA - 198; see map 198.
OTUPA HEAD - see map 104.
OTUWAREROA - 104.
OTUWHERO - Blind River (3) 50.
OUE - 273; 275; 276; 277; 278; 285; 287.
OUETOTA - 279; 285.
OURERE - in Massacre Bay district 62.
OWAHA - 64; 66.
OWANANGA - see map 320.
OWAUA ONARA - 66.
OWENUA - 275; 277.
OXFORD UNIVERSITY - (1) 26.
OYSTER BAY - see also TE TIO 66.

PA - 298; (1) 18; (1) 19; (2) 3; (2) 8; (2) 24; Kaiapoi 280; Massacre Bay 290; Motueka 302; Tamatea 289; Waitohi 267; near Porirua (1) 13; see KAIAPOI; KAPUKE ARIKI; MAIRANGI, MOTUPIPI; PARE WAKATU (3) 43; RANGIAWEA 316; RESERVES; TE KAPA 220; 223; TOIERE 291; sth of Timaru (3) 44.

PA MAHIKIPAUA - 266.

PAEA, PITIROI - see PITIROI PAEA.

PAGE, LIEUTENANT - (1) 19.

PAHAKAHATIRO - 64.

PAHAKATIRO - 66.

PAHAU, TIKINI - see TIKINI PAHAU.

PAHAUTANUI - (1) 19.

PAHOKI - signatory 67.

PAHUERO - on map 104.

PAI-MARIRE - see also TE UA (2) 34.

PAIHI - 211.

PAIOKI - 65.

PAIRAMAPARIU - 309.

PAIRATA, TAKAREI - see TAKAREI PAIRATA.

PAIRATA, TE HEREWINI - see TE HEREWINI PAIRATA.

PAITIO - 5.

PAITU - 211; 211; 217; 239; 281; 285; 287.

PAIWENUA - adze 302.

PAKA, HOANI - see HOANI PAKA.

PAKA, NOA - see NOA PAKA.

PAKAROA, TIRITI - see TIRITI PAKAROA.

PAKAWAI - 64.

PAKAWAU - 66; 289; 291; 292; 309; 326; (2) 14.

PAKEKE - (3) 45.

PAKEREHUA, RORI - see RORI PAKEREHUA.
PAKI, IHAIA - see IHAIA PAKI.

PAKIKA - 317.

PAKINGTON, J., Sir - (2) 11.

PAKINGTON, JOHN, Sir - 180; Secretary of State, Colonies 179.

PAKIPAKI, HAIMONA - see HAIMONA PAKIPAKI.

PAKIRA, NEHANA - see NEHANA PAKIRA.

PAKO - 287.

PALMER, EDWIN - claimant 85; 91.

PALMER, G. - (1) 8.

PALMERSTON, LORD - 12; 17; 19.

PALMERSTON, VISCOUNT - 11; 13; 21; (1) 7.

PAMOANA - 273.

PANAMA - (1) 4.

PANAPA - 197.

PAORA - 266.

PAORA HOU PUNGA - 309.

PAORA KANERE - 311.

PAORA KOINAKI - 315.

PAORA TAU - 210; 211; 216; 220; 238; 239.

PAORA TE PIKI - 309; 316.

PAORA TE RANGITAKAIA - 313.

PAORA, HEKIERA - see HEKIERA PAORA.

PAORORO - 285.

PAPA KAWA - 104.

PAPAHUKA - 286; 288.

PAPAKAOI - 232.

PAPAKEKERU - see map 314.

PAPAKOHAI - 5; 318; 318.

PAPAKONE - ; 212.
PAPAKURA - (2) 35; see map 314.
PAPAROA - 104; 316; see map 104.
PAPAROHARANGE - (3) 45.
PAPUANS - (3) 50.
PARAKAUNUI BAY - 117.
PARAMA, WI - see WI PARAMA.
PARAMATA TE KIORE - 67.
PARAMATIA, TE WAHAPIRO - see TE WAHAPIRO PARAMATIA.
PARAMATIA - (3) 49; see also TE WAHAPIRO 273.
PARAMENA - 307.
PARAMENA NGAWARANGI - 312; 319.
PARAMENE HAEREITI - 325.
PARAMENE NGANARANGI - 305.
PARAMENE TE HURIHURI - 316.
PARANA - see also BRUNNER, MR. 317.
PARANIHI TUKOKO - 308.
PARANUIOWITI KAPARATIAO - 66.
PARAONE - 307; 315.
PARAONE KAUTUA - 313.
PARAONE TOANGINGA - 311.
PARAPAIA, HURA - see HURA PARAPAIA.
PARAPARA - 295; see also TE PARAPARA 296; see map 316; 320.
PARATENE - 312; 315.
PARATENE HUKAROA - 317.
PARATENE KAIPARA - 325; 326.
PARATENE PENA - 318.
PARATENE TE PENA - 317.
PARATENE, HOANI/HONE - see HOANI/HONE PARATENE.
PARATENE, WIREMU - see WIREMU PARATENE.
PARAU - 312; 319.
PARAURIKI - see map 104.
PARE WAKATU - Pa (3) 43.
PAREHUREHU - see map 104.
PAREKAKARIKI - (3) 43.
PAREMATA, TIPENE - see TIPENE PAREMATA.
PAREMENA MAKEKI - 313.
PAREUKA - 302.
PAREUKU - 306.
PARIAHINETEATA - 258; 259.
PARINUIOWITI - -64.
PARIWAKAOHO - 297.
PARIWHAKAHO - 325.
PARIWHAKAOHO - 322.
PARLIAMENT - 241; (1) 21.
PARLIAMENTARY COMMITTEE ON ABORIGINES - 9.
PARLIAMENTARY PAPERS - 250; (1) 5; No. 337, 1846 78; No. 556, 1844 78; see Introduction.
PARORO - 286.
'PARU MENA NGAWHEUA - '316.
PARURAU - 309.
PARURE NGA MANA - 76; see NGA MANA.
PASTURAGE - 278; 279.
PATARA - 287; 307.
PATARA TAWANGA - 314.
PATEA - 64; 66; (3) 37; (3) 40.
PATENE, HORI - see HORI PATENE.
PATERNSON'S RIVER - 82; at Stewart's Is. 87.
PATERSON, J. - 144; 145.
PATTITI, KAHU - see KAHU PATTITI.
PATORONUI PU - 119.
PATTERSON'S INLET - 270; (2) 17.
PATU PARAQA - whalebone club (3) 44.
PATUHIPA TE HIKA - 316.
PATUKEKENO - signatory 66.
PATUKI - 76.
PATUKI, HOANI TOPI - see HOANI/TEONE TOPI PATUKI.
PATUKI, JOHN TOPI - 146; 147; 148; 149; 152; 153; 154; 155; 162; 172; 285; 287; 288; (2) 12; see also HOANI/HONE/TEONE/TIONI/TOPI 145.
PATUKI, TEONE TOPI - see TEONE TOPI PATUKI/HOANI/HONE/JOHN/TOPI PATUKI.
PATUKI, TOPI - see also TOPI, JOHN/PATUKI/TEONE TOPI PATUKI.
PATUONE - Nene's brother (1) 17.
PATUPARAKORE, TAMATI WAKA - see TAMATI WAKA PATUPARAKORE.
PAU, RENATA - see RENATA PAU.
PAUA - Ngatimamo chief (3) 42.
PAULIN, ANNE - of Aparima 276.
PAULIN, JOHN - of Aparima 276.
PAULY, GEORGE - 276.
PAWANI - 313.
PEACOCK & CO. - (2) 5.
PEACOCK, I.J. - 84; 85.
PEACOCK, J.J. - claimant 91.
PEEK, RICHARD - 85; claimant 91.
PEEK, SAMUEL - claimant 85; 91.
PHEAMA - 312.
Peka, Hore - see HORE Peka.
PEKATA TE KIAKIA - 66.
PEKETA TE KIAKIA - 64.
PELBE, MOUNT - see map 254.

PELICHER BAY - 154.

PELICHET BAY - 139; 156; 157.

PELORUS - 4; 90; 91; 203; 266; 293; 294; 297; 298; 299; 300; 306; (3) 39; (3) 46; see also TE HOIERE (3) 50.

PELORUS RIVER - 84; 85; 87; 90; 92; see also HOIERE 64; 66; see map 1 206.

PELORUS SOUND - 299; see map 314; see map 1 206.

PELORUS VALLEY - 302.

PENA, PARATENE - see PARATENE PENA.

PENAH A - 315.

PENE - 312.

PENE MITI KAKAU - 306.

PENE TE AO TE RANGI - 317.

PENE WIREMU NGAPARU - 326.

PENEAHI TE PAI - 259.

PENEHAMENE TE POA - 319.

PENEHAMINE MITIKAKAU - 312.

PENI TE POA - 325.

PENINSULA (BANKS) - see also BANKS PENINSULA 224.

PENNINGTON, JAMES - (1) 11; accountant 39.

PEPE, TIPENE - see TIPENE PEPE.

PEPENE - 266.

PEPENE, WIREMU - see WIREMU PEPENE.

PERA - 316.

PERA NGAHUE - 307.

PERE, JOHN - 210; 238.

PEREWAHIRIE - 197.

PERSERVERANCE BAY - 86.

PETERA - 261; 261.
PETELEA - 313.

PETITIONS - Select Committee on 162.

PETONE - see PITONE.

PETRE - 99; (1) 10.

PETRE, LORD - (1) 8.

PETRE, MR. - (1) 20.

PETRE, WILLIAM HENRY - 42.

PHARAZYN, MR. - 278.

PHILIP, CAPTAIN - (1) 6; Governor of NSW 20.

PICTON - 330.

PIERE, RAKAPA - see RAKAPA PIERE.

PIGEON BAY - 28; 76; 79; 214; 219; 251; 252; 260; 273; (1) 10; (2) 4; grave at 255; see also TE WHAKAROI 259.

PIGS - exchanged for passage (3) 48.

PIHAMA, RAWIRI - see RAWIRI PIHAMA.

PIHARO, RIWAI - see RIWAI PIHARO.

PIKARORO, ROTA - see ROTA PIKARORO.

PIKIRAKAU TUTERI - 309.

PIKIWARA OKAIHAE - 198.

PIKIWATA, HEAIRA - see HEAIRA PIKIWATA.

PIKIWATI, TE MANIHERA - see TE MANIHERA PIKIWATI.

PIKIWAU (TE WAWHANUA) - 203.

PIKIWERA, HOANI - see HOANI PIKIWERA.

PIKIWHARO - Chief, in Nelson district 62.

PILOT HEAD - Otago Heads, see map 198.

PILOT STATION - Otago Heads 198; 199; 197.

PILOT, THE - see WAUKOU 62.

PINAKI, PIPI - see PIPI PINAKI.
PINANA - 287.
PIPIOITAH - 285; see also MILFORD HAVEN 287.
PIPI - 313.
PIPI MANOKA - 316.
PIPI PINAKI - 316.
PIPUS, ANNE - 276.
PIPUS, GEORGE - 276.
PIRAHA TEREAWA - 313.
PIRAPU - see map 314.
PIRERE, HOERA - see HOERA PIRERE.
PIRI KAWAU - 307.
PIRIAMOKOTAH - 232.
PIRIE, MR. - (1) 8.
PIRIHARA WAIKERE - 316.
PIRIHIA - 266.
PIRIHIRA - 197; 266; 287.
PIRIHIRA KUKU - 197.
PIRIHIRA, WHATI - see WHATI PIRIHIRA.
PIRIKA - 296; 296.
PIRIKA TANGI NUI - 318.
PIRIKAHOU, HARIOTA - see HARIOTA PIRIKAHOU.
PIRIMONA - 259; 312; 319.
PIRIMONA MATENGA - 324; 325; 326; 338.
PIRIMONA MATENGA TE AUPOURI - 322; 323.
PIRIMONA TE AUPORI - see also PIRIMONA TE AUPOURI 305.
PIRIMONA, TAMATI - see TAMATI PIRIMONA.
PIRIKO KOHE - 311.
PIRIPINGA-OHE - 325.
PIRIPI TE NGAOHE - 326.
PIRIPIRI - 309.
PITA - 197; 307.
PITA KOI KOI - 197.
PITA TAITEA - 326; see also HAIMONA PITA TAITEA 325.
PITA TAUTAHANGA - 316.
PITA TE HORI - 212.
PITA TE KOIKOI - 307.
PITA TIPA - 228.
PITAKO - 286.
PITIPI TENGAOHE - 312.
PITIRE - 307.
PITIROI PAEA - 311.
PITT, LIEUTENANT-GOVERNOR - (1) 26.
PITT, MAJOR GENERAL - commander of H.M. forces in NZ (1) 22.
PLEASANT RIVER - 224.
PLYMOUTH - (2) 1.
PLYMOUTH COLONY OF NEW ZEALAND - (1) 10.
PO - Chief, in Nelson district 62.
POARA, MATINA - see MATINA POARA.
POARINGA - signatory 67.
POARU, HAWANA KEREI - see HAWANA KEREI POARU.
POATA - signatory 66.
POATIRI - 104; 198; 198; see map 104.
POHAATU PA - see map 254.

POHARAMA RU - 257.

POHARAMA RURU - 259.

POHARU, KAWANA - see KAWANA POHARU.

POHATA - 259.

POHATU, RURU - see RURU POHATU.

POHATUPA - 258; see also FLEA BAY 3; see map 258.

POHAU - 104; 210; 211; 211; 220; 220; 238; 239; 242; 243; 244.

POHAU TIARO - 220.

POHAU, AKARIPA - see AKARIPA POHAU.

POHEA - (3) 39.

POHEAHEA, HOHAIA - see HOHAIA POHEAHEA.

POHIO, HOROMONA - see HOROMONA POHIO.

POHIO, SOLOMON - 210; 218; 238; 286; see HOROMONA POHIO/ SOLOMON.

POHUPI TE TAPUAE - 267.

POHITU - Chief, in Massacre Bay area 62.

POHOTA - 104.

POHUE - 76; 256.

POHUEROA - 104; 198.

POHUTUPA - Fly Bay, Flea Bay 259.

POINT TURNAGAIN - (1) 9.

POKAI, HONE HEKE - see HONE HEKE POKAI.

POKAITARA - 302; (3) 47; (3) 47.

POKEAE - 228.

POKEKOHATU - 304.

POKENE - 104; 285.

POKENO, TE WHAIKAI - see TE WHAIKAI POKENO.

POKERE, TE WHAIKAI - see TE WHIKAI POKERE.

POKIHI - 104.
POKURUKURU - 286.

POLICE - Superintendent to be appointed 16; private, armed 309; see also HALSE, H.

POLICE FORCE - 25; 26; 231; 295; (1) 10; Barracks, Dunedin 118; Barracks, Otago 114; Depot, Dunedin 131; 138; 144; Dunedin 123; Magistrates (1) 15; (1) 16; Station, Dunedin 125; accompanies Hobson to NZ (1) 6; see also FRANCE, HENRY; JERMYN, JOHN (2) 10; RICHMOND, MAJOR; SINCLAIR, DONALD; STRODE, A.C.; SYMONDS, J.J.; THOMPSON, MR. (2) 29; special constables, ships crew 100; sub-inspector 218.

POLITICAL SYSTEM - integration of natives into (2) 34.

POLLOCK, ROBERT - 338.

POLYNESIAN COMPANY - 84; 85; 91; claimant 90.

POMAHAKA - 279.

POMPALLIER, BISHOP - (2) 18.

PONEKE - 239.

PONUIAHINE - 220.

PONUIHINE - 217.

POPIMAINA BAY - 84.

POPOKORE - (3) 51.

POPOMAINA BAY - 90.

POPOTAHI - (3) 41.

POPULATION - Kaipoi & Moeraki reserves 228; Ngaitahu Block 220.

PORAKAU - 258.

PORAKIRAKI - 275.

PORANA WHAREMARU - 314.

PORE, TAMIHANA - see TAMIHANA PORE.

POREWIA - Chief, in Nelson district 62.

PORIRUA - 54; 59; 64; 66; 70; 72; 92; 201; 294; 301; 303; 304; (1) 13; (1) 19; (1) 20; (1) 24; (2) 15; (3) 41.

POROPOROKENE - 278; 280.

POROPOROKERE - 276.

PORT ADVENTURE - (2) 17.
PORT CHALMERS - 109; 113; 118; 120; 126; 133; 135; 139; 141; 143; 148; 154; 181; 215; 218; 284; (2) 12; (2) 12; (2) 23; Natives to be granted land 109; Papers re. Native Reserves 107; section 401, Dunedin (encl. 2) 110.

PORT COOPER - 3; 76; 78; 79; 82; 88; 96; 97; 103; 214; 219; 221; 238; 245; 249; 250; 251; 252; 253; 254; 256; 257; 258; 261; 261; (1) 12; (1) 23; (1) 24; (2) 10; (2) 13; (3) 49; Plains 246; Deed of Sale 256; see also WAKARAupo, WHAKARAupo 28; see map 256.

PORT EASY - (2) 17.

PORT GORE - 64; 294; see also OMAHANGA 66.

PORT HARDY - 53; (1) 8; D’Urville’s Island 50.

PORT LEVI - see also PORT LEVY, KOUKOURARATA 258; see map 254; 258.

PORT LEVY - 76; 79; 82; 97; 213; 214; 216; 227; 228; 249; 250; 251; 252; 253; 254; 255; 258; 259; 260; (2) 7; (2) 13; (3) 51; deed 259; see also PORT LEVI/KOKORARATA/KOUKOURARATA 3; see map 256.

PORT NICHOLSON - 26; 28; 28; 34; 39; 40; 50; 54; 58; 59; 64; 70; 71; 77; 78; 99; ‘100; 204; 228; 311; 312; (1) 9; (1) 12; (2) 1; (2) 2; (2) 28; (3) 38; (3) 41; (3) 46; see also WANGANUIATERA 55.

PORT UNDERWOOD - 87; 92; 202; 203; 204; 294; 298; (1) 13; (3) 50; see also WANGANUI 64; see map 1, 206.

PORT VICTORIA - see map 258.

PORTOBELLA - 198.

PORTOBELLO - 119.

POST OFFICE - reserve for, Dunedin 110.

POSTMASTER-GENERAL - 128; 132; 133; 136; see GILLIES, T.B. 127; see RICHARDSON, J.

POTAKA, HEMI - see HEMI POTAKA.

POTATAU - a chief (2) 33.

POTETE TE TEKE - 311.

POTIKI - 210; 218; 238; 285; 286; 288; see also WIREMU POTIKI 104.

POUHARO - 4; 4.

POUNAMU - (3) 41; (3) 44; (3) 47; mere (3) 46; tara pounamu (3) 44.

POUPOUTUNOA - 198.

POUTAKARO - see map 258.
POUTINI - see also ARAHURA (2) 16.

POUTINI NGAIAHAU - (3) 44; (3) 45; (3) 46.

POUTOU, TANIERA - 287.

POVERTY BAY - (1) 2; see also TURANGA-NUI-A-RUA (3) 41.

POWHARA - 319.

POWHARO - 317; 318.

POYNTER, JOHN - Resident Magistrate 312.

POYNTER, MR. - (2) 29; solicitor 337.

PPINIHA TUPUHIRIA - 316.

PRENDERGAST, J. - 171.

PRENDERGAST, JAMES - 147.

PRENDERGAST, MR. - 242.

PRESBYTERIAN CHURCH - (2) 11; (2) 12.

PRESBETYERY - Otago 141.

PRESERVATION BAY - Otago 92.

PRESERVATION HARBOUR - 269; 279; (2) 14.

PRINCE'S STREET RESERVE - (2) 11.

PRINCES STREET RESERVE - 115; 118; 120; 121; 122; 123; 124; 126; 127; 129; 131; 132; 134; 139; 141; 142; 143; 144; 145; 146; 149; 150; 151; 153; 154; 156; 157; 158; 159; 160; 162; 171; 172; 173; 184; 185; Dunedin 155; map, (enclosure 1) 110.

PRINTZ, GEORGE - 276.

PRIVATE ESTATES BILLS BILL - ; 148.

PRIVATE SECRETARY - 214; 215; 216; 219; 305; see also GISBORNE, W..

PROCLAMATION - to be addressed to settlers 18.

PROTECTOR OF ABORIGINES - 17; 19; 36; (1) 7; office proposed 16; see also SYMONDS, J.J..

PROUDFOOT, PETER - (enclosure 1) 110.

PROVERBS - (3) 41.

PROVIDENCE RIVER - see map 1 206.

PROVINCIAL COUNCIL ORDINANCE - (1) 25.
PROVINCIAL GOVERNMENT - creation of (1) 21.

PROVINCIAL LAWSUITS ACT - 162; Amendment Act 172; (2) 12.

PU, PATORONUI - see PATORONUI PU.

PUA, RAWIRI - see RAWIRI PUA.

PUAHA - 202; 203; (1) 13.

PUAHA, RAWIRI KINGI - see RAWIRI KINGI PUAHA.

PUARAU - 217.

PUARERE - see map 314.

PUBLIC DOCUMENTS - index of, early history of NZ 8.

PUBLIC RESERVES ACT - 111; 112; 113; 141; 142; 143; 153; 174; 181; 185; 186; 192; 193; 194.

PUBLIC RESERVES ACT 1854 - 180; 182.

PUBLIC REVENUES ACT - 158; 159; 161; 163; 164; 166; 168; 170; 173.

PUBLIC TRUST FUND - 159; 161; 163; 165; 166; 167; 168; 170; 173.

PUBLIC WORKS - 39; 240; Dunedin 140; roading (2) 31.

PUEHU - 259.

PUERUA - river 102; see map 104.

PUHIPUHI - 316.

PUKA - 203; see map 314.

PUKAKA - 306; 329.

PUKAKAHO - 308.

PUKAKAKE - 309.

PUKANA PUKANUI - 238.

PUKANUI, PUKANA - see PUKANA PUKANUI.

PUKARAMU - see map 314.

PUKATEA - 330; 331; see also WHITE'S BAY 329.

PUKEHARU - 197.

PUKEHURI - 224.

PUKEHURI RANGE - 224.
PUKEKO - 203.

PUKEKO, HOROPAPERA - see HOROPAPERA PUKEKO.

PUKEKOHATU - 313.

PUKEKOHATU TE TANA - 311.

PUKEKOHATU, KEREI - see KEREI PUKEKOHATU.

PUKEKOHATU, RORE - see RORE PUKEKOHATU.

PUKEKOHATU, TE TANA - see TE TANA PUKEKOHATU.

PUKEKONUI - 280.

PUKEKOWHATU - 203; Chief, in Massacre Bay area 62.

PUKEKURA - 103; 197; 198; 199; 275; 277; reserved by Otakou Maori 104; see map 198.

PUKEKURU - (2) 10.

PUKENUI - 210; 257; 258.

PUKENUI, APERA - see APERA PUKENUI.

PUKERANGIORA - (3) 50.

PUKERUA, IHAKA - see IHAKA PUKEROA.

PUKETAPU - 66; 299; 300; 309; 310; (3) 46.

PUKETERAKI - 317.

PUKETI - 258.

PUKEWHINAU - 232; 232.

PUKIKURA - see map 104.

PUKU, TIAKI - see TIAKI PUKU.

PUKUHAU - 285.

PUKUHETI, HOROMONA - see HOROMONA PUKUHETI.

PUKURAU, TAMATI - see TAMATI PUKURAU.

PUKURUA - 60.

PUMIPI - 315.

PUNAOMARU - 231.

PUNAOMAUI - 232.

PUNARUAWITI - see also West Bay 66.
PUNGAREHU, NGA - see NGA PUNGAREHU.

PUNI, E. - (1) 20.

PURRO - (3) 40.

PURAKAUNUI - 215; 218; 220; 225.

PURAU - 253; 256; 257; see map 256.

PUREHUREHU - ; 104; 198; 215; 220.

PURUMERU, HARE - see HARE PURUMERU.

PURVES, W. - 86.

PURVIS, W. - claimant 92.

PUTAPUTA, RAWIRI - see RAWIRI PUTAPUTA.

PUTIKI, APERAHAMa - see APERAHAMa PUTIKI.

QUAIL ISLAND - see also TE KAWAKAWA 261.

QUEEN - 175; 178; 179; 181; 183; 188; 197; 198; 219.

QUEEN CHARLOTTE SOUND - 4; 5; 65; 66; 293; 297; 298; 300; 302; 304; 306; 306; 308; 308; 310; 319; (1) 2; (1) 12; (2) 15; (3) 39; (3) 40; (3) 46; (3) 50; see map 314; see also QUEEN CHARLOTTE’S SOUND.

QUEEN CHARLOTTE’S SOUND - 50; 54; 59; 87; 87; 92; 93; 201; 263; 266; (2) 3; see also TOTARANUI 64; see map 1 206.

QUEEN VICTORIA - see VICTORIA, QUEEN/WIKITORIA, KUINI.

QUEEN, H.M. - 256; 256; 257; 259; 260; 285; 287; 288; 311; 335; 337; 338; authority over NZ (1) 6; authority not acknowledged (1) 19; right of preemption (1) 16; see map 256; see also VICTORIA, QUEEN/WIKITORIA, KUINI.

RACE RELATIONS - 25; 70; 72; (1) 4; (2) 18; Hut set fire to 216; between whalers & Maori (1) 2; disturbance at Manawatu (1) 22; early (1) 3; hostility (1) 15; natives attack Wanganui (1) 22; necessity for military force 201; settler attacked (1) 16; threat to fight for land 219; trespassing cattle 25; warfare (1) 18; (1) 19.

RAGGEDY POINT - see also RUGGED POINT (2) 17.

RAGGEDY RIVER - (2) 17.

RAGLAN - (2) 35.

RAHERA - 266.

RAILLARD, MONS. - 80.
RAIMA TIOI - 316.
RAKA TE KARU - 316.
RAKAHAURI - see also ASHLEY RIVER (3) 40.
RAKAHEREA, TEPENE - see TEPENE RAKAHEREA.
RAKAIA - 224; (3) 49.
RAKAIA GORGE - (3) 41.
RAKAIA RIVER - (3) 40.
RAKAIKURUWHEO - Cape Wanhou 232.
RAKAPA PIERE - 316.
RAKAPARI, HOANI - see HOANI RAKAPARI.
RAKATIRA - 287.
RAKAU HAPARA - see map 320.
RAKAU HAPARU - see map 320.
RAKAUHAPARA - see map 316.
RAKEHA, HORA - see HORA RAKEHA.
RAKIPAWA - 217.
RAKIRIRI - 104.
RAKITAWINE - 231.
RAKITOTO - on map 104.
RAMARI TE ATARAUHI - 316.
RAMEKA TE KATU - 319.
RAMEKA TE KETU - 317; 326.
RAMEKA TE PAEA - 305; 312.
RANAI - Chief, in Nelson district 62.
RANGATIRA - (1) 17.
RANGATIRA, METANA TOA - see METANA TOA RANGATIRA.
RANGI - (2) 18.
RANGI APERAHAMA WEHEA - 311.
RANGI KIHII - 316.
RANGI KOKAPA - 316.


RANGIAEATA - sale of Wakatu to Wakefield 59; see also RANGIAHEATA; see also RANGIHAEATA.

RANGIAHEATA - 57; 58; see also RANGIHAETE.

RANGIATA - 4; 317; 318.

RANGIAUPERE - 259.

RANGIAWEA PA - see map 316.

RANGIHAEATA - 54; 63; 65; 203; 307; (1) 12; (1) 13; (1) 19; (1) 20; (2) 3; (3) 47; (3) 48; see also RANGIAEATA 55.

RANGIHAETA - (1) 15; see also RANGIAEATA.

RANGIHAUKUHA, ROKA - see ROKA RANGIHAUKUHA.

RANGIHEHE - 266.

RANGIHIROA - 65.

RANGIMOKO, WIWI - see WIWI RANGIMOKO.

RANGIORA - (3) 40.

RANGITAMAU - (3) 43.

RANGITANE - 4; 59; 203; 293; 297; 298; 300; 301; 302; 307; 308; 313; 315; (3) 38; (3) 39; (3) 46.

RANGITAIIRA - assistant to Te Ua (2) 34.

RANGITIKEI - 64.

RANGITIKI - 66.

RANGITOPI, RANGIUIRA - see RANGIUIRA RANGITOPI.

RANGITOTO - 64; 66; 297; 300; 317; (2) 9; (2) 14; (2) 16; (3) 46; (3) 47; (3) 50; see also D'URVILLE('S) ISLAND 4.

RANGIUHAKANA - 238.

RANGIUIRA RANGITOPI - 307.

RANGIWAKAWA - 64; 66.

RANIERA KAWARU - 317.

RANIERA KAWHARU - 311.

RANIERA MATENGA - 325; 326; 338.
RANIERA MOKAIHARANUI - 308.
RANIERA TE AUPOURI - 319.
RANIERA TE HUA - 309.
RANIERA TE PATE - 317.
RANITAWINE - 217.
RAPA, KIRIHAPA - see KIRIHAPA RAPA.
RAPAKI - 237; 238; 239; 240; 241; 242; 253; 256; 257; (2) 23; (2) 28; see map 256.
RAPATA - 197.
RAROTOKA - 285; 287.
RAROTONGA - (3) 37.
RARURARI, TIKI - see TIKI RARURARI.
RATAIMANA TE PAHU - 317.
RATARA RIRIA - 288.
RATIMIRA TE HAU - 286.
RATTUAU - see also RAUTAU 87.
RATTLESNAKE, H.M.S. - 12; (1) 4; (2) 1; ship 11.
RAU, PATU - 325.
RAUAKITUA, (TE) WIRIHANA - see (TE) WIRIHANA RAUAHITUA.
RAUKAWA - see also COOK'S STRAIT (3) 40.
RAUPARAHUA - 54; 55; 56; 57; 58; 59; 63; 65; 202; 203; (1) 13; (1) 15; (1) 20; (2) 3; see also TE RAUPARAHUA; see map 314.
RAUPARAHUA, TEOTI - see TEOTI RAUPARAHUA.
RAUPOONGA - signatory 66.
RAUREKA - (3) 44.
RAUTAU - see also RATTUAU 92.
RAWANATU - Chief, in Massacre Bay area 62.
RAWENATA KAHIKIWI - 313.
RAWHIRI TE AWHA - 286.
RAWINIA HAPE - 316.
RAWIRI - ; ; 266; 294; 305; 312; chief, Motupipi 296.

RAWIRI KAPUANUI - 212.

RAWIRI KINGI PUAHA - 204; 205; 314; see map 1 206; see also RAWIRI PUAHA.

RAWIRI NGAWAKA - 307; 311.

RAWIRI PIHAMA - 307; 311.

RAWIRI PUA - 297.

RAWIRI PUAHA - 273; 298; 302; 307; 310; 311; (1) 20; (3) 50; see map 2 206; see also RAWIRI KINGI PUAHA.

RAWIRI PUTAPUTA - 309.

RAWIRI TAMAITI - 312.

RAWIRI TE AUHA - 285.

RAWIRI TE IHE - 317.

RAWIRI TE MAIRE - 228; 234.

RAWIRI TE MAMARU - 211; 217; 218; 220; 228; 235; 236; 239; 286.

RAWIRI TE OUENUKU - 311.

RAWIRI WAIUA - 309.

RAWIRI WAITERI - 307.

RAWIRI WATINO - 336; 338.

RAWIRI, HIRA - see HIRA RAWIRI.

RAWUNA KAUMOANA - 316.

REA, PETI - see PETI REA.

REAY, REV. C.L. - 295.

REDI - see B REDI.

REHE, HENARE - see HENARE REHE.

REHU, WI/WIREMU - see WI/WIREMU REHU.

REHUA, MERE - see MERE REHUA.

REHUA, WI/WIREMU - see WI/WIREMU REHUA.

REI NGANIHO - 5; 319.

REID, C. - 122.
REIHANA - 285.

REIHANA TUAREA - 286; 288.

REIMANA TE WARE MAMAKU - 317.

REIMENSCHNEIDER, REV. - (2) 20.

RELIGION - 30; Angel Gabriel (2) 34; Bishop of New Zealand (1) 11; (2) 29; (2) 32; Christchurch Maori Mission (2) 28; Church Missionary Society 20; Episcopalian 275; Lutheran 275; Otago Presbytery 113; 117; Wesleyan 275; (2) 28; bible translated into Maori (2) 18; chaplains from NSW 18; education of natives (2) 21; (2) 28; influence of Christianity (3) 52; influence on Maori (2) 27; instruction for settlers 16; 18; 19; 34; instructions for Natives 35; missionaries 15; 17; of Natives 275; persuasions at Oue & Aparima 276; places of worship 290; see also BUTT, HENRY F.; BURNS, REV. DR.; CHURCH OF ENGLAND; FREE CHURCH OF SCOTLAND; MISSIONARIES; ROMAN CATHOLIC MISSIONARIES; WESLEYAN MISSION; spread of Christianity (3) 50; to be extended to Natives 10.

RENA - 315.

RENATA PAU - 317.

RENATA TE OHIOHI - 317.

RENE - 307.

RENE TE OQUENUKU - 317.

RENNIE, A. - 139; 140.

RENNIE, ALEXANDER - 131.

RENNIE, MR. - 137; 138.

REPO, TERETI - see TERETI REPO.

REPORT ON THE STATE OF NZ - submitted to Parliament 11.

RERE, JOHN - 211; 239.

RESERVATIONS - settlers ejected from 70; see also RESERVES.

RESERVES - 73; boundaries of, Nelson district 60; disputes regarding Wellington 71; in Nelson purchase 61; leased to Europeans 72; see also CULTIVATIONS; NORTH AMERICA; RESERVATIONS; RESERVES, GOVERNMENT; RESERVES, MAORI; RESERVES, NATIVE.

RESERVES, GOVERNMENT - see map 198.

RESERVES, MAORI - Dunedin 128.

RESERVES, NATIVE - 102; 136; 137; 138; 140; 142; 143; 145; 146; 148; 180; 181; 182; 183; 184; 186; 193; 194; 195; 213; 215; 216;
RESERVES, PUBLIC - 110; 128; 135; 136; 142; 144; 180; 182; 183; 184; 186; 192; 194; Dunedin 153; 110; 112; 114; 118; 119; 129; 130; 131; 139; 140; 141; 170; 172; 173; 175; 191; Dunedin, cemetery 110; Dunedin, Church 110; Dunedin Town Belt 110; Dunedin, Manse 118; Port Chalmers 117; Manse, Dunedin 118; Nelson 69; Otago, Schedule 113; Wellington 69; (1) 9; see also CROWN GRANTS; PRINCES ST. RESERVE; PUBLIC RESERVES ACT.

RETIMANA - 266.

RETIMANA NGAPARU - 326.

RETIMAU A TE WHARE MAMAKU - 312.

REVENUE - 28; 30; (1) 23; duty on spirits, tobacco etc. 31; for colony to come from NSW 16; see also Treasury, NZ; tobacco tax 18; tax on uncultivated land 31; taxation (1) 22.

REW A - 314.

REW ERI - 309.

REYNOLDS, MR. - 137; 144.

REYNOLDS, W.H. - 138; 144.

REYNOLDS, WILLIAM - 136.

RHODES - 77; claimant 83; 89.

RHODES BAY - see map 254.

RIA - Chief, in Nelson district 62.

RIA KI NGI - 307.

RIA WAITI - 197.
RICHARDSON, J. - 129; 132; 134.
RICHARDSON, MAJOR - 100; 136; 139; 165; 168.
RICHARDSON, MR. - Crown Prosecutor (1) 13.
RICHMOND - 82; 84; 85; 86; 87.
RICHMOND, A.J. - 144.
RICHMOND, COMMISSIONER - 90; (2) 6.
RICHMOND, J. - 134; 174; 182; 184; 186; 187; 188; 190; 191; 192; 195.
RICHMOND, J.C. - 134; 149; 150; 152; 153; 155; 156; 157; 158.
RICHMOND, M. - 76; 97; 99; 267; 289; 290; 291; 294; 312; 317; 318; 319; Superintendent 96.
RICHMOND, MAJOR - 77; 78; 102; 201; 202; 205; 206; 263; 264; 265; 267; 292; 297; 303; 306; 326; (2) 5; (2) 9; (2) 10; (2) 14; Crown Lands Commissioner (2) 29; Police Magistrate (1) 15; Superintendent of Southern Div. (1) 22.
RICHMOND, MR. - 95; 101; 118; 136; 137; 146; 147; 173; 175; 177; 178; 179; 180; 181; 185; 186; 234; 266; 305.
RIHARI - 299.
RIHARI TAHUAROA - 315.
RIHARI TE KANAU - 314.
RIHIA TE HONOMARE - 316.
RIKARAKO - 309.
RIKI, HEMI - see HEMI RIKI.
RIKI, HOANI - see HOANI RIKI.
RIKIRIKI, HEMI - see HEMI RIKIRIKI.
RIKIRIKI, JAMES - 285.
RIMARAP - 64; 66.
RIMURAPA - (3) 51.
RINA TE WAKAAHU - 313.
RING, CHARLES - (1) 24.
RINGARINGA - 266.
RIPEKA - 197; 197.
RIPEKA KOIA - 319.
RIRAWA - 210; 238.

RIRI - 212.

RIRI, HOANI - see HOANI RIRI.

RIRIA - 286; 288; 307.

RIRIA HINERAWA - 286.

RIRIA KAHOW - 315.

RIRIA MARORE - 307.

RIRIA, RATARA - see RATARA RIRIA.

RIUKAKARA - (3) 38.

RIVERTON - 116; (2) 22.

RIWAI - 306; 312; 325.

RIWAI NGAPAKI - 312; 318.

RIWAI PIHARO - 285; 287.

RIWAI TAURI - 319.

RIWAI TE MANIARA - 288.

RIWAI TURANGAPEKE - 321; 322; 323; 324; 326; demands cart, plough, oxen 327; see also RIWAI.

RIWAI, WAKARAU - see WAKARAU RIWAI.

RIWAKA - 67; 68; (1) 12.

RIWHA, HONE - see HONE RIWHA.

RIWHA, TEONE - see TEONE RIWHA.

ROADS - 203; Native labour desired 33.

ROANA NGAKI - 311.

ROBERTSON - 90.

ROBIN HOOD BAY - 306.

ROBIN HOOD'S BAY - 294; see also OTAWIRA 298.

ROBINSON'S BAY - see map 254.

ROBINSON, HUGH - 286.

ROBINSON, MR - 28; 28; Police Magistrate, 1840 27.
ROBINSON, MR. - 298; magistrate (1) 10.
ROCHFORT, MR. - 294; 296.
RODNEY - ship (3) 46.
ROGERS, D. - claimant 92.
ROGERS, DANIEL - claimant 85; 87; 91.
ROITI PI - 231.
ROITI, HOHEPA - see HOHEPA ROITI.
ROKA - 315.
ROKA HIWI - 316.
ROKA RANGIHAUKUHA - 316.
ROKA, ROMAI - see ROMAI ROKA.
ROLLESTON, MR. - 156; 158; 160; 161; 162; 163; 164; 169; 170; 171; 173; 239; 240; 241; 242; (2) 18; (2) 23.
ROLLESTON, W. - 146; 157; 237; 331.
ROMA RURU - 307.
ROMAI ROKA - 307.
ROMAN CATHOLIC MISSION - see also MISSIONARIES (2) 18.
RONALDSON, REV. W. - (2) 20.
ROPATA HURUMUTU - 311.
ROPATA TE PANA - 314.
ROPATA TOAIA - 311.
ROPIHA, MATA - see MATA ROPIHA.
ROPOAMA - 264; 265; 266; 266; 267; 298; 315; 315.
ROPOAMA TE ONE - 302.
ROPOAMA TEONE - 314.
RORA - 287.
RORA TE MAORI - 313.
RORA WHENO - 316.
RORE PUKEKOHATUE - 326; see also RORI PUKEKOHATUE.
RORI PAKEREHUA - 316.
RORI PUKEKOHATUE - 330; see also RORE PUKEKOHATUE.
ROSS, A.H. - 138; 139.
ROTA PIKARORO - 286.
ROTOITI - (3) 39.
ROTOROA - 290; (3) 39.
ROTOROA, LAKE - 5.
ROTORUA - (3) 37.
ROUNDHEAD, TOMMY - see HAEREROA 218.
ROY, MR. - (1) 11.
ROYAL INSTRUCTIONS - 178; 188.
ROYAL INSTRUCTIONS 1846 - 179; 181; 189; 190; 191; 193; 194; 195; 230.
ROYAL INSTRUCTIONS 1850 - 186.
RU, POHARAMA - see POHARAMA RU.
RU, TIARE - see TIARE RU.
RUA TANIWHA - 216; (3) 50.
RUAHINE - 314.
RUAHINE RANGE - (2) 9.
RUAPAKA - see map 316; 320.
RUAPEKAPEKA - (1) 18.
RUAPUKE - 83; 83; 89; 103; 146; 146; 148; 218; 273; 273; 275; 277; 277; 285; 287; 289; (2) 16; (2) 20; (2) 21; (2) 22; (3) 49; (3) 50; see also RUAPUKE ISLAND.
RUAPUKE ISLAND - 270; 271; see also RUAPUKE.
RUAPUPUTA - see map 320.
RUARANGI, TE MARUHERA - see TE MARUHERA RUARANGI.
RUATEA - (3) 41.
RUATITI - 277.
RUaura - (3) 37.
RUERAU - 220.
RUGGED POINT - see also RAGGEDY POINT (2) 17.

RUIHI TAKUNA - 316.

RUKA - 297.

RUKA TANGATA KE - 319.

RUNAKA - see RUNANGA.

RUNANGA - 241; (2) 26; Kaitapoi 237; 238; 239; 240.

RUPINI TE POKAURI - 317.

RURU POHATU - 287.

RURU, POHARAMA - see POHARAMA RURU.

RURU, ROMA - see ROMA RURU.

RURU, WIRIHANA - see WIRIHANA RURU.

RUSSELL - 26; 27; (1) 11; (2) 2; see also KORORARIKA (1) 16.

RUSSELL, COLONEL - 243; Native Minister 241; see also TB RAHERE.

RUSSELL, JOHN - 310.

RUSSELL, JOHN P. - 310.

RUSSELL, JOHN, LORD - 21; 28; 35; 37; 39; 40; 41; 42; 105; (1) 7; (1) 8; (2) 1; (2) 2; (2) 3; Secretary of State, Colonies 27.

RUSSELL, MR - 102.

SADDLE BACK HILL - see map 104.

SADDLE HILL - 279.

SAINT MICHAELS MOUNT - Okaihae, see map 104.

SALE OF SPIRITS OUTLYING DISTRICTS ACT 1870 - (2) 35.

SALE OF SPIRITS ORDINANCE - (2) 35.

SAN FRANCISCO - (1) 24.

SAND SPIT - 289.

SANDWICH ISLANDS - (2) 25; (3) 37.

SANDY BEACH - 76; 78.

SAWAI - Navigator Island (3) 37.

SCHOOLS - see EDUCATION.

SCHULTZE, C.W. - 92.
SCOTCH COLONIZATION COMPANY. - (1) 11.

SCOTCH COLONY - (1) 23.

SCOTCH SETTLEMENT - see NEW EDINBURGH.

SCOTIA - ship 97; 100; 101.

SCOTLAND - (2) 10.

SCOTT, DAVID - 104; Commissioner, Native Reserves 110.

SCOTT, MR. - 135; 154; 232.

SCUDLAND, H. - 211.

SEASONS - 247.

SECRETARY OF STATE - 69; (1) 8; (1) 26; (2) 2; (2) 11; for Colonies 250; (1) 5; (2) 17; (2) 30; for Foreign Affairs 76; (1) 5; see PAKINGTON, SIR JOHN.

SECTION 401 - see PORT CHALMERS.

SELWYN, BISHOP - 270; (2) 20; (2) 27.

SELWYN, DR. - (2) 21; Bishop of New Zealand (2) 18.

SELWYN, REV. G.A. - (1) 11.

SEPARATION POINT - 293; 305; 306; 318; (MATAU) 4.

SERVANTES, W.F. - see map 1, 206.

SERVANTES, W.F.G. - 205; interpreter to the forces 204.

SEWELL, HENRY - Attorney-General 135.

SHAG COVE - see TE KURAKURA.

SHARK - (2) 27.

SHEEP - 246.

SHELDON, H. TERRY - 85.

SHELDON, H.T. - claimant 91.

SHIP CONE - (Wakarua) 278.

SHIP COVE - 299.

SHIPLY, W.D. - 312.
SHIPS - 22; 26; 27; 27; 28; 28; 97; 264; 302; (1) 16; (3) 48; Bremen whaling ships (2) 20; Government Brig 272; Maori schooner 213; NZ Co. authorised to purchase 40; Te Rauparaha charters ship (3) 47; anchorages of vessels 225; of war (1) 19; registered by chiefs 22; see also WING, MR. 101; see ACHERON; ALLIGATOR; BRITOMART; CALLIOPE; COMTE DE PARIS; CORNWALL; DEBORAH; DOLPHIN; ELIZABETH; ENDEAVOUR; FLY; HARLEQUIN; KELSO; SCOTIA; TORY; UNDINE; UOERSE 214; VICTORIA; ZINGARI; shipments, Waitangi 233.

SHIPS COVE - see also MERETOTO; SHIP COVE 66; see map 314.

SHORTLAND, DR. - see Introduction.

SHORTLAND, E. - 327.

SHORTLAND, EDWARD - 77; 78; 123.

SHORTLAND, LIEUTENANT - (1) 13.

SHORTLAND, MR. - 28; (1) 15; (2) 2; (2) 6; Colonial Secretary (2) 2; resigns as Colonial Treasurer (1) 14.

SHORTLAND, WILLIAM - 37.

SHORTLAND, WILLOUGHBY - 27; 78; Colonial Secretary 26; acting Governor 75.

SIGNAL STATION - Otago Heads 198.

SICOURNEY, POINT - 233.

SIMMONDS, ISAAC - claimant 91.

SIMMONS, ISAAC - claimant 85.

SINCLAIR - police magistrate, 1844 62; see also SINCLAIR, DONALD; SINCLAIR, MR.

SINCLAIR, A. - Colonial Secretary 111.

SINCLAIR, ANDREW - 112; 113; Colonial Secretary 110; Colonial Secretary & Registrar 68.

SINCLAIR, DONALD - 68; (1) 15; Police Magistrate 67.

SINCLAIR, DR. - surgeon (1) 14.

SINCLAIR, GEORGE - (1) 8.

SINCLAIR, MR. - 335; (2) 3; Police Magistrate 295.

SIZEMORE, R. - claimant 93.

SKIDMORE, H. - 83.

SLAVES - returned 219.
SMART - claimant 89.
SMART, J.S. - claimant 83.
SMART, MR. - 28.
SMITH, CHARLES - 131.
SMITH, JOHN ABEL - (1) 8.
SMITH, MR. - 173.
SMITH, STEVEN - 103.
SMITH, T.H. - Native Secretary 114.
SMITH, THOMAS - claimant 87; 92.
SMITH, VERNON - 38; 40; 41; 42.
SMITHY - (enclosure 1) 110.
SNIPE - 270.
SNOW, WILLIAM - claimant 93.
SOIL - Hurumui 246.
SOLICITOR-GENERAL - (2) 11; (2) 35.
SOLOMON - 238; 241.
SOMES, JOSEPH - 21; 38; 40; 41; 42; 42; (1) 8; Governor 37; 44; NZ Co. 37; of New Zealand Land Company 19.
SOUTH AMERICA - British subjects in 22.
SOUTHERN ISLAND - British attitude to 18; see also Middle Island 26; to be called New Munster 37.
SOUTHLAND - 118; Campbell Town 5.
SOUTHWOOD - 278.
SOVEREIGNTY - British & France in NZ 27; British attitude to NZ, 1840 21; NZ as a British dependency 20; by possession 20; delegated to the missionaries 21; of Britain in NZ in doubt 19; proclaimed over NZ Islands 26.
SPAIN, COMMISSIONER - 55; 57; 70; 83; 91; 92; 95; 201; (2) 6; (2) 9; (2) 12; (2) 30; awards Nelson land to NZ Co. 60; land commissioner 49; report on Nelson claim, NZ Co. 54; reports on NZ Co., Nelson 49.
SPAIN, MR. - 4; 82; 84; 85; 295; 296; 303; 305; (1) 12; (2) 3; (2) 4.
SPAIN, WILLIAM - 67; (2) 3; (2) 29.
SPENCER, JAMES - claimant 85; 91.
SPENCER, JOHN - 288.

SPENCER, MR. - 269.

SPIRITS - distillation prohibited 31.

ST. JOHNS COLLEGE - Cambridge (1) 11.

STACK, MR. - 243.

STACK, REV. J.W. - (2) 20; (2) 26; see Introduction.

STAFFORD, E.W. - 142; 143; 145; 237; (1) 22; Colonial Secretary 113.

STAFFORD, MR. - 118; 137; 151; 153; 162; 166; 168; 169; 170; 172.

STANLEY, CAPTAIN - 27; 28; 28; (1) 9; (1) 10.

STANLEY, LORD - 22; 70; 75; 77; 78; 95; 105; 250; 252; (1) 13; (1) 14; (1) 17; (1) 21; (2) 8; (2) 9; (2) 28; Secretary of State, Colonies (2) 4.

STAPLE, JOHN - claimant 93.

STATUTE OF FRAUDS - 188.

STATUTES - British, criminals in NZ 22; British, on sovereignty of NZ 22.

STEPHEN, J. - 21.

STEPHEN, JAMES - 8; 11; 13.

STEPHENS, MR. - 279.

STERLING, WILLIAM - claimant 87.

STEWART'S ISLAND - 5; 82; 85; 86; 87; 88; 89; 90; 91; 92; 125; 212; 269; 270; 271; (1) 6; (2) 2; (2) 10; (2) 16; (2) 17; (2) 22; (2) 24; (3) 41; (3) 52; also called the South Island (1) 2; see also NEW LEINSTER (1) 7; to be called New Leinster 37.

STEWART, CAPTAIN - (3) 48; drowned (3) 48.

STEWART, THOS. - constable 323.

STEWART, WILLIAM - claimant 87; 92.

STIRLING, WILLIAM - claimant 92.

STOCK - cattle, horses, pigs, 275; 276.

STOKES, CAPTAIN - 245; 269; (2) 14; (3) 50.

STOKES, J. LORT - 239.

STOKES, J.L. - 246; 247; 270.
STOKES, ROBERT - 211.

STONEMILL - 275.

STRANG, ROBERT R. - Registrar, Supreme Court 311.

STREET, TOMMY - Chief, in Nelson district 62.

STRODE, A. - 125.

STRODE, A.C. - 126; 130; 137; 138; 140; 286; 286; 288; Dep. Insp. Police 211.

STRODE, MR. - 5; 125; (2) 12; (2) 16.

SUGAR LOAF ISLANDS - 64; 66.

SUISTEAD, MR. - 217; 232.

SUPERINTENDENT - 97; Canterbury 237; Southern Division 99; 103; 95; 101; 102; see also CARGILL, W..

SURVEYING - 124; 135; 138; 139; 141; 203; 253; 273; 279; 281; 296; 303; Dunedin 130: Dunedin office (enclosure 1) 110; Survey Department 116; Surveyor General 201; 202; 208; (1) 7; see also BRIDGE, W.; BRUNNER, MR. 291; CARRINGTON, OCTAVIUS; CUDLAND, H.S.; KETTLE, MR; LEWIS, HENRY; LIGAR, C.W.; MILLS, ALFRED; THOMAS, MR. 249; TUCKETT, FREDERICK 96; threat to pull down, poles 213.

SURVEYOR GENERAL - 35; 36; 68; 73.

SURVEYOR-GENERAL - office proposed 16.

SUTER, BISHOP - (2) 20.

SWAINSON, MR. - 278.

SYDNEY - 28; 91; 92; 102; (1) 3; (1) 4; (1) 6; (1) 8; (1) 11; (1) 16; (2) 1; (2) 4; (2) 5; (2) 6; (2) 8; (3) 47; (3) 48.

SYDNEY COVE - (1) 2.

SYMONDS - see also HAIMONA 198.

SYMONDS’ PURCHASE - 3; 4; 199; 285; (2) 23.

SYMONDS, CAPTAIN - 135; 198; (1) 11; (2) 12.

SYMONDS, CAPTAIN W.C. - (2) 2.

SYMONDS, J. J. - 96; 97; 98; 102; appointed for Otago purchase 95; former Protector of Aborigines 96.

SYMONDS, J. JERMYN - (2) 31; see also SYMONDS, J. J./JOHN JERMYN.
SYMonds, John Jermyn - 103; 104; Assistant Police magistrate (2) 10; Police Magistrate 95; assist. Police Magistrate (1) 23; see also Symonds J.J. Jermyn.

SYMonds, Mr. - 99; 100; 101; 102; 154; 211.

Ta-rao Timarama - 309.

Table Island - see also Mana Island.

Taerohua - 277.

Taetae - 316.

Taeteta, Pita - 318; see Pita Taeteta.

Taahana APO - 314.

Tahea - 257; (Billy) 258.

Taheke - 285.

Taheke, Ariaha - see Ariaha Taheke.

Tai:ike, Eraia - see Eraia Taheke.

Tahu - Ngaitahu ancestor (3) 41; a Ngaitahu chief (3) 43; chief of Karoro 102.

Tahuahua - 310; see map 314.

Tahuaroa, Rihari - see Rihari Tahuaroa.

Tahura - 220.

Tai - Chief, in Nelson district 62.

Tai, TiaKI - see TiaKI Tai.

Tai-Kore-Kore - 198.

Taiari - 103; Natives of 102; plain of, 102.

Taiari Hakatona HakiniKini - 198.

Taiari River - 102.

Taiari Valley - 101.

Taiaroa - 4; 76; 104; 210; 211; 212; 213; 217; 218; 219; 220; 221; 228; 228; 238; 239; 241; 273; 274; 280; 283; 285; 286; 288; 303; 304; (3) 49; chief, Otakou 102.

Taiaroa Head - 198; 199; see map 104; see also Taiaroa's Head 104.

Taiaroa's Head - 113; see also Taiaroa's Head 141.

Taiaroa, H.K. - 198.
TAIAROA, HORI KEREI - see HORI KEREI TAIAROA.

TAIAROA, POHAU - see POHAU TAIAROA.

TIAWA, IHAIA - see IHAIA TIAWA.

TAIERI - 102; 103; 103; 104; 104; 117; 118; 123; 275; 277; 286; 288; (2)
10.

TAIERI RIVER - 104; 117; 118; see map 104.

TAIERI VALLEY - 246.

TAIHEWA, IHAIA - see IHAIA TAIHEWA.

TAIHURU, ENOKA KINGI - see ENOKA KINGI TAIHURU.

TAIKO - 266.

TAIKO, HONA - see HONA TAIKO.

TAIKOREKORE - 197; see map 198.

TAINUI - 210; 211; 212; 214; 216; 220; 238; (1) 17; (1) 20; (3) 37; (3) 38;
(3) 44.

TAIPU - 307.

TAIPUPURU - 278.

TAIROA - 210.

TAIROA'S HEAD - 141; see also TAIAROA/TAIROA'S HEAD 113.

TAITAI - 282.

TAITAPA - 59; gold fields 323; in Blind Bay 58; see also TAITAPU.

TAITAPU - 57; 59; 64; 66; 321; 322; 323; 324; 325; 326; (2) 15; Massacre
Bay 55; 68; see also TE TAITAPU 67.

TAITAPU, HOANI - see HOANI TAITAPU.

TAITEA, HAIMONA PITA - see HAIMONA PITA TAITEA.

TAITEA, PITA - see PITA TAITEA.

TAITU - 231.

TAITUHA NGATAE - 309.

TAITUHA TE RANGIKAWIWINI - 309.

TAITUHA TE WAKAMARU - 267.

TAITUHU - 286.
TAKA - 266.

TAKA (2) - 266.

TAKAHIPARU, TAMATI - see TAMATI TAKAHIPEARU.

TAKAKA - 4; 64; 66; 293; 295; 296; 305; 317; 318; 335; 338; (3) 50; in Massacre Bay district 62; native reserve 339.

TAKAMAI I TE RANGI, HAKIAHA - see HAKIAHA TAKAMAI I TE RANGI.

TAKAMAITU - 104.

TAKANGA - signatory 67.

TAKAPARI, MEIHANA - see MEIHANA TAKAPARI.

TAKAPUARUANGA - see map 320.

TAKAPOU - 306.

TAKAPIUAHIA - (1) 20.

TAKAPUWAHIE - see map 314.

TAKAREI - (3) 47; chief, see also TAKEREI (3) 46.

TAKAREI PAIRATA - 312; 318; 325; 326.

TAKAREI TUTURAU - 312; 325; 326.

TAKEREI - 321; see also TAKAREI (3) 49.

TAKETE, TEONE - see TEONE TAKETE.

TAKE - 65; 210.

TAKIHAREIOU - 197.

TAKIHARURO - see map 198.

TAHIPARU - Chief, in Takaka district 62.

TAKITIMU - mountain 279.

TAKITUMU - Horouta (3) 39; canoe (3) 38.

TAKO, WI/WIREMU - see WI/WIREMU TAKO.

TAKOPOA - 275; 277.

TAKOROWAKIAKA - see also MOUNT HAMILTON 279.

TAKUNA, RUIHI - see RUIHI TAKUNA.

TAKURUA - 285.
TAMA TE KAPUA - (3) 37; (3) 40.

TAMAHANA TE POIHI - 307.

TAMAHENGIA, HOHEPA - see HOHEPA
TAMAHENGIA/TAMAIHENGIA.

TAMAIHENGIA - 203.

TAMAIHENGIA, HOHEPA - see HOHEPA
TAMAIHENGIA/TAMAHENGIA.

TAMAIHENGIA - Charley 65.

TAMAITI, RAWIRI - see RAWIRI TAMAITI.

TAMAKA - in the Firth of Thames 52.

TAMAKEKE - 255; 259.

TAMAKI - 266.

TAMAKI RIVER - (1) 20; (3) 37.

TAMARANGA - Chief, in Nelson district 62.

TAMARAU, TEIRA - see TEIRA TAMARAU.

TAMARI, HONE PARATENE - see HONE PARATENE TAMARI.

TAMATEA PA - 289.

TAMATI HAPIMANA - 315.

TAMATI KAPITI - 314.

TAMATI NGAREWA - 299.

TAMATI PIRIMONA - 319.

TAMATI PIRIMONA MARINO - 325.

TAMATI PUKURAU - 259.

TAMATI TAKAHIPARU - 311.

TAMATI TE HAWE - 267; 314; 315.

TAMATI TE KOHU - 318.

TAMATI TE KOU - 312.

TAMATI TE MAU - 317.

TAMATI TE WAKAPAKEKI - 306.

TAMATI WAKA NENE - 299; 307; (1) 18; see also WAKA NENE (1) 17.
TAMATI WAKA PATUPARAKORE - 311.
TAMATI WAKAPAKEKE - 68.
TAMATI WHAKAPAKEKE - 315.
TAMATI WHANGA - 311.
TAMATI WI KINGI - 310.
TAMAUTAURUA - island 104.
TAMI TUKUTUKU - 256; see also TEMI TUKUTUKU 258.
TAMIHANA - 315.
TAMIHANA NGAPA - 319.
TAMIHANA PORE - 319.
TAMIHANA TE RAUPARAHĀ - 204; 205; 302; 307; 311; 314; 316; see map 1 206.
TANA - 266.
TANA, HEMI - see HEMI TANA.
TANAWA - signatory 67.
TANCRED, MR. - 160; 161; 162; 163; 164; 165; 166; 169; 170; 171.
TANERAU, HONE - see HONE TANERAU.
TANGAHOE - 64; 66; 307.
TANGATA KE, RUKA - see RUKA TANGATA KE.
TANGATAKINO, HEKIERE - see HEKIERE TANGATAKINO.
TANGI NUI, PIRIKA - see PIRIKA TANGI NUI.
TAO, HOHAIA - see HOHAIA TAO.
TAOMITE - 66.
TAOMIITI - 64.
TAORAKI - 259.
TAPIANA, WI - see WI TAPIANA.
TAPU - 287.
TAPU, JOHN - 255.
TARAMAKAU - 275.
TARANAKI - 4; 4; 59; 64; 66; 100; 293; 296; 301; 301; 302; 303; 305; 308; 309; (1) 10; (1) 20; (1) 23; (2) 15; (2) 24; (3) 38; (3) 46; (3) 50; see also PGMONT, MOUNT (1) 2.

TARANAKI NGAMOTU - 4.
TARANAKI WARS - (2) 34.
TARAPIKO, MAHA - see MAHA TARAPIKO.
TARAPUHI - 220.
TARAPUHI TE KAUHI - Poutini chief (3) 45.
TARAROA HEAD - 197.
TARAWATA - 211; 217; 220; 220.
TARAWHAI - (3) 44; (3) 45.
TARAWHATA - 211; 212; 239.
TARE HAPE - 287.
TARE HAPU - 288.
TARE TE AO - 285; 286.
TARE TE ARURU - see also TARE TE HARURU 210.
TARE TE AU - 285.
TARE TE HARURU - ; 238.
TARE TE KAUI - 317.
TARE WAITI TE KAINI - 312.
TARE WETERE TE KAHAHU - 285.
TARE WETERE TE KAHU - 198; 211.
TAREWAI - see map 198.
TARO - Chief, in Nelson district 62.
TASMAN - (1) 1.
TASMAN, (ABEL) - (3) 39.
TATA - of Takitumu canoe (3) 38.
TATA ISLANDS - 291.
TATAIA - see map 314.
TATARAIMAKA - (2) 34.
TAU KOHU - see map 104.

TAU, PAORA - see PAORA TAU.

TAUATEMAKA - 275; 277.

TAUHE, APERAHAMA - see APERAHAMA TAUHE.

TAUHEI, HOERA - see HOERA TAUHEI.

TAUHIMI - 232.

TAUHINU - 220; 233; 234; reserve, Te Kapa's Pa 217.

TAUIRA - 286.

TAUIRAPAREKO - (3) 39.

TAUKAHARA - 253; 256; 257.

TAUKEKE, MATIAHA - see MATIAHA TAUKEKE.

TAUKOHU - 104.

TAUMAREWA - see map 314.

TAUMARO - 325.

TAUMARU, MOUNT - 5.

TAUMUTU - 86; 242; (2) 23; (3) 44; at Otago 91; see also TE TAUMUTU 219.

TAUNGATARA, WATENE - see WATENE TAUNGATARA.

TAUNUI A KUPE - 314.

TAUPO - 306; (1) 20; (2) 35; (3) 39.

TAUPO, LAKE - (3) 40.

TAURAKA - 285; 287.

TAURAKITEWARU - 278.

TAURANGA - (2) 35; (3) 38.

TAURI, RIWAI - see RIWAI TAURI.

TAUTAHANGA, PITA - see PITA TAUTAHANGA.

TAWA - 294; see also TAWHA.

TAWANGA, PATARA - see PATARA TAWANGA.

TAWATAPU - see map 314.
TAWHA - 212; 212.

TAWHAI - (1) 17.

TAWHI - 266.

TAWHIRIKAKAHU - Chief Ngatiwairangi (3) 39.

TAWHITINUI - 316.

TAWITINUI - 317.

TAYLOR, MISS - (2) 20.

TAYLOR, MR. - 136; 137.

TAYLOR, REV. MR. - (2) 2.

TAYLOR, WARING - 144.

TE AHEWAKA - see map 104.

TE AHILA, APERAHAMA - see APERAHAMA TE AHILA.

TE AHITAHU, HANA - see HANA TE AHITAHU.

TE AHO, HENERI - see HENERI TE AHO.

TE AHU, HOROMONA - see HOROMONA TE AHU.

TE AHUROA, HIAIA - see HIAIA TE AHUROA.

TE AIA, APERAHAMA - see APERAHAMA TE AIA.

TE AITANGA O TERAPUAI - (3) 39; (3) 40.

TE AKEROA - see map 104.

TE AKIROA - 306; 329.

TE ANAU - 279.

TE AO - 104; 259.

TE AO MARIRE - (3) 40.

TE AO, MANIHERA - see MANIHERA TE AO.

TE AO, MEIHANA - see MAIHANA TE AO.

TE AO, TARE/KOTARE - see TARE/KOTARE TE AO.

TE AOINA, KERINAPU - see KERINAPU TE AOINA.

TE AOMARAMA, MANIHERA - see MANIHERA TE AOMARAMA.

TE AOTERANGI, KARITONIRE - see KARITONIRE TE AOTERANGI.
TE ARA TANGATA - (3) 47.
TE ARAWA - (3) 37; (3) 40; (3) 44; see also ARAWA (3).
TE ARO - (1) 24.
TE ARURU, TARE - see TARE TE ARURU.
TE ATA, HOANI - see HOANI TE ATA.
TE ATARAUHI, RAMARI - see RAMARI TE ATARAUHI.
TE ATAWIRI, WIREMU PARATA - see WIREMU PARATA TE ATAWIRI.
TE ATIU - 286.
TE AU - 279; 288.
TE AU, TIARE/TARE - see TARE/TIARE TE AU.
TE AUA, WIRETI - see WIRETI TE AU.
TE AUHA, RAWIRI - see RAWIRI TE AUHA.
TE AUPORI, MATENGA/PIRIMONA - see MATENGA/PIRIMONA TE AUPORI/TE AUPORI
TE AUPOURI - 4; 295; 306; 317; 318; Chief, in Massacre Bay area 62.
TE AUPOURI, MATENGA - see MATENGA TE AUPOURI.
TE AUPOURI, RANIERA - see RANIERA TE AUPOURI.
TE AUPOURI, PIRIMONA MATENGA - see PIRIMONA MATENGA TE AUPOURI/TE AUPORI.
TE AWA-O-TE-ATUA - (3) 37.
TE AWAHOUIHOU - see map 104.
TE AWAITE - (3) 50.
TE AWAITI - 293; 298; 299; 301; 309; 310; 319; Queen Charlotte Sound 4.
TE AWAKAIHAIA - Green Point 218.
TE AWANUI - see map 316.
TE AWARUATO - 309.
TE AWAWAKAMAU - see also AWAWAKAMAU 232.
TE AWHA, RAWIRI - see RAWIRI TE AWHA.
TE AWIRO, MEIHANA - see MEIHANA TE AWIRO.
TE EANUI - see map 104.
TE HAKAROA - 254; see also AKAROA; see map 254.

TE HAKATARAMEA - 217; 231; 233.

TE HAKATURAMEA - see also TE HAKATARAMEA 232.

TE HANAI, HOHUA - see HOHUA TE HANAI.

TE HARAMA, HORO - see HORO TE HARAMA.

TE HARANUI, ERAIA - see ERAIA TE HARANUI.

TE HARAWIRA HANORA - 311.

TE HARURU, TARE - see TARE TE HARURU.

TE HAU - ; 210; 210; 238; 238.

TE HAU, RATIMIRA - see RATIMIRA TE HAU.

TE HAWE, TAMATI - see TAMATI TE HAWE.

TE HEMOA, HETA - see HETA TE HEMOA.

TE HEREWINE, KAPAI - see KAPAI TE HEREWINE.

TE HEREWINI PAIRATA - 325.

TE HEREWINI TE TUPE - 310.

TE HEU HEU - (1) 19.

TE HIAKAI - (1) 20.

TE HIKA, PATUHIPA - see PATUHIPA TE HIKA.

TE HIKO - 63; 65; 307; 311; (1) 12; son of Te Pehi (3) 48.

TE HIKO O TE RANGI - (3) 47.

TE HINA, MATA - see MATA TE HINA.

TE HIRA - 231.

TE HOIERE - 204; 293; 309; 311; 316; see also PELORUS (3) 50; see map 316; 320.

TE HOKI - 104.

TE HONOMARE, RIHIA - see RIHIA TE HONOMARE.

TE HORA - see map 316.

TE HORI, PITA - see PITA TE HORI.

TE HOTETE, KARINA - see KARINA TE HOTETE.

TE HOUHOU - 294.
TE HUA, RANIERA - see RANIERA TE HUA.

TE HUATAKI - (3) 40; (3) 40.

TE HURIHURI, PARAMENE - see PARAMENE TE HURIHURI.

TE IHE, RAWIRI - see RAWIRI TE IHE.

TE IKAMEKE, KEREOPA - see KEREOPA TE IKAMEKE.

TE IKI - 63.

TE ITI - 67; 290; 295; Chief, in Takaka district 62; witness in Nelson land hearing 56; witness, Case No. 374A 61.

TE IWITUROA - see also IWITUROA 323.

TE KAAHU, TARE WETERE - see TARE WETERE TE KAAHU.

TE KAHU, WIARE - see WIARE TE KAHU.

TE KAI-O-TAMA - 5.

TE KAIHUA, WIREMU - see WIREMU TE KAIHUA.

TE KAINI, TARE WAITI - see TARE WAITI TE KAINI.

TE KAIOPAPA - 242; 243.

TE KAKAHO - see map 258.

TE KAKAHO, HONE PARATENE - see HONE PARATENE TE KAKAHO.

TE KAKARA - or Cape Campbell 64.

TE KANA - 203; 300; (1) 19; chief (3) 46.

TE KANA, WI/WIREMU NERA - see WI/WIREMU NERA TE KANA.

TE KANAU, RIHARI - see RIHARI TE KANAU.

TE KANEWA, MATIU - see MATIU TE KANEWA.

TE KANI, APAHAMA - see APAHAMA TE KANI.

TE KAPA - 220; 233; Pa of 234.

TE KARAKA - 306; 309; Cape Campbell 66; see KAIPARATEHUA (TE KARAKA); see map 266; see map 314; see map 320.

TE KARAKARA - see map 314.

TE KAREHU - see map 104.

TE KARIRA - 307.

TE KARORO - 104; 104; 266; (2) 10.
TE KARU, RAKA - see RAKA TE KARU.
TE KATOA - see map 314.
TE KATU, RAMEKA - see RAMEKA TE KATU.
TE KAUIHIKI, TARAPUHI - see TARAPUHI TE KAUHIKI.
TE KAUI, TARE - see TARE TE KAUI.
TE KAWAI, HORI KARAKA - see HORI KARAKA TE KAWAI.
TE KAWAKAWA - see also QUAIL ISLAND 261.
TE KAWENGA, HEMUERA - see HEMUERA TE KAWENGA.
TE KEHA, ERUERA TATANA - see ERUERA TATANA TE KEHA.
TE KEHA, ERUINI - see ERUINI TE KEHA.
TE KEHA, HENARE - see HENARE TE KEHA.
TE KEHA, HOANI TATANA - see HOANI TATANA TE KEHA.
TE KENEPERU - see map 320.
TE KEPA - 285; see also KEMP, MR. 237.
TE KETU, RAMEKA - see RAMEKA TE KETU.
TE KIORE, PARAMATA - see PARAMATA TE KIORE.
TE KIACA, HOHEPA - see HOHEPA TE KIACA.
TE KIHI - 231.
TE KIHI, HORI KARAKA - see HORI KARAKA TE KIHI.
TE KIKOTUWHA, HATA - see HATA TE KIKOTUWHA.
TE KIRIKIRI - 277.
TE KOAU - 286; 288.
TE KOHU - 197; see map 314.
TE KOHU, TAMATI - see TAMATI TE KOHU.
TE KOIHUA - chief in Massacre Bay area 62; chief (3) 46.
TE KOIHUA, W.K. - 289.
TE KOIHUA, WIREMU KINGI - see WIREMU KINGI TE KOIHUA.
TE KOIKOI, PITA - see PITA TE KOIKOI.
TE KOKA, KARIPA - see KARIPA TE KOKA.
TE KOKI, NOA - see NOA TE KOKI.

TE KOKIHI - (3) 45.

TE KOMAIRIRO - see map 104.

TE KORAKO - 210.

TE KORAKO, TUHAWAIKI - see TUHAWAIKI TE KORAKO.

TE KORAMA, HORI - see HORI TE KORAMA.

TE KORO - 237; 242; 243.

TE KORO, TIEMI KOKORAU - see TIEMI KOKORAU TE KORO.

TE KOTUA, WAKA - see WAKA TE KOTUA.

TE KOU, TAMATI - see TAMATI TE KOU.

TE KURA, TUAU - see TUAU TE KURA.

TE KURAKURA - Shag Cove 66.

TE KURI - 217; 220; 228; islet at Bluff Harbour 91.

TE MAIHARANUI - (3) 48.

TE MAIHENGIA, HOHEPA - see HOHEPA TE MAIHENGIA.

TE MAIRE, RAWIRI - see RAWIRI TE MAIRE.

TE MAIWITIA, KATARAINA - see KATARAINA TE MAIWITIA.

TE MAK AWHU - 299.

TE MAKARINI - 307; 308; 310; 311; 312; 313; 314; 315; 317; 318; 319; see also MCLEAN, DONALD.

TE MAMARU, RAWIRI - see RAWIRI TE MAMARU.

TE MANEA, WATENE - see WATENE TE MANEA.

TE MANIARA, RIWAI - see RIWAI TE MANIARA.

TE MANIHERA PIKIWI - 319.

TE MANU - chief Nelson district 62.

TE MANU, WIREMU KATENE - see WIREMU KATENE TE MANU.

TE MAORI, RORA - see RORA TE MAORI.

TE MARAINI, HURIWHENUA - see HURIWHENUA TE MARAINI.

TE MARAMA - 211; 232; 285; 287.
TE MARANGA, MATANA - see MATANA TE MARANGA.
TE MARO, MATIU - see MATIU TE MARO.
TE MARUHERA RUARANGI - 315.
TE MATAHARA - 210; 238.
TE MATENE - 315.
TE MATENGA - 299.
TE MATENGA, HEREMAIA - see HEREMAIA TE MATENGA.
TE MAU, TAMATI - see TAMATI TE MAU.
TE MEIHANA - 295.
TE MEIHANA NGAKE TE - 309.
TE MEIHANA, IAIA - see IAIA TE MEIHANA.
TE MERI, IHAKA - see IHAKA TE MERI.
TE MIMI ORUPE - 308; see map 266.
TE MOROKURA - 224.
TE MURA, HEMI - see HEMI TE MURA.
TE MUTU - 66.
TE MUTU, KORONIRIA - see KORONIRIA TE MUTU.
TE MUTU, MANIHERA - see MANIHERA TE MUTU.
TE NGAHURU - 308.
TE NGAKO, HEMARAMA - see HEMARAMA TE NGAKO.
TE NGAOHE, PIRIP - see PIRIP TE NGAOHE.
TE NGATARI, TIMOTI - see TIMOTI TE NGATIRI.
TE NGIHA, NOPERA - see NOPERA TE NGIHA.
TE NGONGHOU, HAKARAIA - see HAKARAIA TE NGONGHOU.
TE NIHINIH, NA TIPA - see NA TIPA TE NIHINIH.
TE OHIOHI, RENATA - see RENATA TE OHIOHI.
TE OKORO, HOANI - see HOANI TE OKORO.
TE ONAU - 274.
TE ONE - 66; 317.
TE ONE TE UKI - 211; 212.

TE ONE TOPI - 146; 147; see also HONE/PATUKI/TEONE/TOPI
PATUKI/TOPI.

TE ONE TUKI - ; 239.

TE ONE, ROPOAMA - see ROPOAMA TE ONE.

TE OROMENE - 231.

TE OUENUKU, RAWIRI - see RAWIRI TE OUENUKU.

TE OUENUKU, RENE - see RENE TE OUENUKU.

TE PA - 266.

TE PAE - 285; 286.

TE PAEA, HARE HEMI - see HARE HEMI TE PAEA.

TE PAEA, RAMEKA - see RAMEKA TE PAEA.

TE PAHOAHOA - see map 266; 314.

TE PAHU, RATAIMANA - see RATAIMANA TE PAHU.

TE PAI, PENEAIHI - see PENEAIHI TE PAI.

TE PAIA, HENERE - see HENERE TE PAIA.

TE PAKEHA - Te Warekorari’s nick name 231.

TE PANA, ROPATA - see ROPATA TE PANA.

TE PANAKENAKE, APERAHAMA - see APERAHAMA TE
PANAKENAKE.

TE PANGU - see map 314.

TE PAO, HAKARAIA - see HAKARAIA TE PAO.

TE PAPAROA - 317.

TE PARAPARA - 5; 296; 318.

TE PAREHUIA - 307.

TE PARIOHOMAI - see map 104.

TE PATA - 315.

TE PATETE, RANIERA - see RANIERA TE PATETE.

TE PAU - (3) 45.

TE PEHI - 302; (3) 47; (3) 48; Ngatitoa chief (1) 20.
TE PEKE - signatory 67.
TE PEN, PARATENE - see PARATENE TE PEN.
TE PERIO - Chief Nelson district 62.
TE PIATA, AMIRIA - see AMIRIA TE PIATA.
TE PIKI, PAORA - see PAORA TE PIKI.
TE PIPHI, MOHI - see MOHI TE PIPHI.
TE PIRO - signatory 66.
TE POA - Chief Nelson district 62.
TE POA, PENEHAME - see PENEHAME TE POA.
TE POA, PENI - see PENI TE POA.
TE POHE, KITI - see KITI TE POHE.
TE POHUE - 258; 259.
TE POIHI, TAMAHANA - see TAMAHANA TE POIHI.
TE POKAURI, RUPINI - see RUPINI TE POKAURI.
TE PORIOHUA - 210; 238.
TE POU, TE TAHANA - see TE TAHANA TE POU.
TE POU-O-TE-ATUPAROA - Otago Heads Reserve 4.
TE POUIHE - 257.
TE PUHIRERE - (3) 39.
TE PUKATEA - see also WHITE'S BAY 306; (3) 40.
TE PUKE, WIREMU - see WIREMU TE PUKE.
TE PUNAOAMARU - 215.
TE PUNAOAMARU - 117; 217; 220; 232; 279.
TE PUNARUAWHII - see map 314.
TE PUNI - (1) 26.
TE PUHO - 273; (3) 48; (3) 49; chief (3) 46.
TE PUHO, WIREMU KATENE - see WIREMU KATENE TE PUHO.
TE RAE - 289; 291; 292; (2) 14.
TE RAHERE - see also RUSSELL, COLONEL 241.
TE RAKE - signatory 67.

TE RAKI - 104; 210; 287; 288; (3) 49; of Taiari 102.

TE RAKI (2) - 104.

TE RAKIAMOA - 231.

TE RANGA, HENERE/HENARE - see HENERE/HENARE TE RANGA.

TE RANGI - 266.

TE RANGI, PENE TE AO - see PENE TE AO TE RANGI.

TE RANGIAURERI - signatory 67.

TE RANGIHAEATA - 303; 304; (3) 44.

TE RANGIHAETA, MOKAU - see MOKAU TE RANGIHAETA.

TE RANGIHROROA, HOPA - see HOPA TE RANGIHROROA.

TE RANGIKAWIWINI, TAITUHA - see TAITUHA TE RANGIKAWIWINI.

TE RANGIRUNGA, HOHOIA - see HOHOIA TE RANGIRUNGA.

TE RANGITAKAIA, PAORA - see PAORA TE RANGITAKAIA.

TE RANUI, UTIKA - see UTIKA TE RANUI.

TE RAPU, MERI - see MERI TE RAPU.

TE RAUAKITUA, ERUERA WIRIHANA - see ERUERA/WIRIHANA TE RAUAKITUA.

TE RAUHIIHI, HERUERA/ERUERA - see HERUERA/ERUERA TE RAUHIIHI.

TE RAUPARAHAPA - 60; 63; (1) 19; (2) 7; (2) 21; (3) 37; (3) 39; (3) 46; (3) 47; (3) 50; attack on Kaiapoi (3) 49; massacre at Hakaroa (3) 48; see Introduction; see also RAUPARAHAPA.

TE RAUPARAHAPA, TAMAHANA - see TAMAHANA TE RAUPARAHAPA.

TE RAWA, KARARAINA - see KARARAINA TE RAWA.

TE RAWE, HOETA - see HOETA TE RAWE.

TE RAWITI - 299.

TE REHE - 217; 220.

TE REI - 311; 315.

TE REI NANGIHO - 293.

TE REI TE WHARAU - 319.
TE REREWAKA - (3) 46.
TE RETIMANA - 266; 267.
TE RETIU - 309.
TE REWEREWA - 66.
TE ROKI - 266.
TE RORE PUKEKOHATUE - 325.
TE RORETANA - 239; 241; see also ROLLESTON 240.
TE ROUPONGA - 298.
TE RUA - 257.
TE RUAIKIHIKI - (3) 44.
TE RUAKAKA - see map 314.
TE RUAPUKA, HIPOIA - see HIPOIA TE RUAPUKA.
TE RUATAIKI, HIRA - see HIRA TE RUATAIKI.
TE RUATITI - 275.
TE RUKA - Chief, in Nelson district 62.
TE TAHANA KAUAHATA - 325.
TE TAHANA TE POU - 311.
TE TAITAPU - 67; 311.
TE TANA - 304; 308.
TE TANA PUKEKOHATUE - 302; 306; 314; 318.
TE TANA, PUKEKOHATU - see PUKEKOHATU TE TANA.
TE TAPU, HAKARAIA - see HAKARAIA TE TAPU.
TE TAPUA, POHIPI - see POHIPI TE TAPUA.
TE TAPUIHI, KEREopa - see KEREopa TE TAPUIHI.
TE TAUMUTU - 207; 215; 217; 219; 220; 224; see also TAUMUTU.
TE TAUPAKI - (3) 38.
TE TAWHIA - 266.
TE TAWIRI - 307.
TE TEKE, POTETE - see POTETE TE TEKE.
TE TETI - 315.
TE TIO - see also OYSTER BAY 66; see map 314.
TE TOI - 307.
TE TUITI - 315.
TE TUNGARA - see map 266.
TE TUPE, TE HEREWINI - see TE HEREWINI TE TUPE.
TE TURA NGARAWHARE - 314.
TE TURORO, IHAKA - see IHAKA TE TURORO.
TE UA - high priest, Pai-Marire (2) 34.
TE UAKI - 311.
TE UKI - 210; 219; 227; 238.
TE UKI, TEONE/TE ONE - see TEONE/TE ONE TE UKI.
TE UMUKAHA - 207; 215; 220; see also UMUKAHA 217.
TE UPOKOATERAKAITAUWEKI - Caroline Bay 225.
TE UPOKOOHINETEWAI - 259.
TE UPOKOOKURI - 256; 257.
TE URANGI, HAROTO - see HAROTO TE URANGI.
TE UTAKAU, MATA - see MATA TE UTAKAU.
TE WAEWAE - (3) 51.
TE WAHAPIRO - 273; (3) 49; see also PARAMATA 274; PARAMATTA.
TE WAHAPIRO, PARAMATIA - 307.
TE WAHI NGAKI - 325; 326.
TE WAHI POUNAMU - (3) 40.
TE WAIKAHA - 5; 318.
TE WAIKORARI - 217.
TE WAIOMAKUA - 243.
TE WAIOTEMAKUA - 242.
TE WAIPAPA - 259.
TE WAIPOUNAMU - 306; 311.
TE WAKAAHU, RINA - see RINA TE WAKAAHU.

TE WAKAMARU, TAITUHA - see TAITUHA TE WAKAMARU.

TE WAKAMATAU, WIREMU - see WIREMU/PARATENE TE WAKAMATAU.

TE WAKAPAKEKI, TAMATI - see TAMATI TE WAKAPAKEKI.

TE WAKARERE, HEMI - see HEMI TE WAKARERE.

TE WANA, HONI - see HONI TE WANA.

TE WANGA, HIRINI - see HIRINI TE WANGA.

TE WARE, MEIHANA - see MEIHANA TE WARE.

TE WAREKINO - (3) 45; (3) 45.

TE WAREKORARI - 117; 231; 232; 232; 233.

TE WARERAKAU - 259.

TE WARIKORARI - see also TE WAREKORARI 231.

TE WATENE - 315.

TE WATENE HOKO - see also WATENE HOKO 319.

TE WAUA, ENOKA - see ENOKA TE WAUA.

TE WAWHANUA - see also PIKIWAU 203.

TE WEHI, SIMEON - 312.

TE WEKI, WIRIhana - see WIRIhana TE WEKI.

TE WERA - 308.

TE WERA O WAITOHI - 309; see map 2 206.

TE WERINGA - 66.

TE WETA, APERAHAMA - see ERAHAMA TE WETA.

TE WETA, KAREHANA - see KAREHANA TE WETA.

TE WHAIKAI - 286.

TE WHAIKAI POKENO - 210.

TE WHAIKAI POKERE - 238.

TE WHAITEKE KATATORI - 309.

TE WHAKARAUNO - see also WHAKARAUNO 257.

TE WHAKAROI - 260; see also PIGEON BAY 258; 259.
TE WHANGA - 64; 66.
TE WHANGANUI - 289; 290; 291; 291; 309; 312.
TE WHARAU, TE REI - see TE REI TE WHARAU.
TE WHARE MAMAKU, RETIMAU A - see RETIMAU A TE WHARE MAMAKU.
TE WHAREKORARI - see also TE WAREKORARI.
TE WHATA - 307.
TE WHATA KARAKA, ARAMA - see ARAMA TE WHATA KARAKA.
TE WHATA KIORE - 287.
TE WHATAARUHI, HAMA - see HAMA TE WHATAARUHI.
TE WHATATU, MATIU - see MATIU TE WHATATU.
TE WHAWHARUA, WI/WIRIHANA - see WI/WIRIHANA TE WHAWHARUA.
TE WHERE WHERO - (1) 20; (1) 22.
TE WHETA, APERAHAMA - see APERAHAMA TE WHETA.
TE WHETU - 65.
TE WHITI - signatory 66.
TE WHITIKAU - signatory 66.
TE WHITU - chief Massacre Bay area 62.
TE WHIWHI, HENERE MATENE - see HENERE MATENE TE WHIWHI.
TE WHIWHI, MATENE - see MATENE TE WHIWHI.
TE WI KIRIWA WAIHARAKEKE - see also WAIHARAKEKE 313.
TE WIRIHANA - 313.
TE WIRIHANA KOHATA - 325.
TE WIRIHANA RAUAKITUA - 319; 325.
TE WIWI, HENERE MATENE - see HENERE MATENE TE WIWI.
TEAO - 197
TEARATAUA see map 314.
TEAWAITI see map 314.
TEHE - see map 104.
TEHORA - see map 316.
TEHU KARORO - on East Coast of North Island 54.
TEHUKAHORE - 64; 66.
TEIRA TAMARAU - 318.
TEKAMERO - 64; 66.
TEKAO, JOHN - 238; 239.
TEKARAKA - 329.
TELEG RaMS - 330.
TELEGRAPH STATION - 329; White's Bay 330; 331.
TEM EiHA - 309.
TEMI TUKUTUKU - see also TAMI TUKUTUKU 257.
TENGAOH E, PIRIP I - see PIRIP I TENGAOH E.
TEO - 311.
TEONE KIH AU - 5; (2) 17.
TEONE RIWHA - 317.
TEONE TAKETE - 287.
TEONE TE UKI - 257; 258; 258.
TEONE TOPI PATUKI - 5; (2) 17.
TEONE WAITI - 310.
TEONE WERAAHI - 316.
TEONE, ROPOAMA - see ROPOAMA TEONE.
TEONETIUI - 197.
TEOTI RAUPARAH A - 285; 286.
TEOTI TURI - 287.
TEOTI WERA - 287.
TEOTI WIRA MAUHE - 287.
TEOTI, MEIHANA - see MEIHANA TEOTI.
TEPENE RAKAHEREA - 319.
TEPUKA - 63.
TERAWITI - (3) 40.
TEREMAKAU RIVER - 5.
TERETI REPO - 314.
TERETU - 307.
TEREWAREWA - 64.
TERRITORIAL RIGHTS ACT 1858 - (2) 32.
TESCHEMAKER, H. - 89.
TETE, TIPENE - see TIPENE TETE.
TeweKA - see map 314.
THAMES RIVER - 51; 136; (1) 12; Bay of Islands (1) 6; at Hokianga (1) 7.
THOMAS - of Aparima 276.
THOMAS, CAPTAIN - 254; (2) 13.
THOMAS, J. - 251.
THOMAS, JOSEPH - 256; 257.
THOMAS, MR. - 250; 252; 253; Surveyor-General 249; surveyor (1) 23.
THOMAS, W.G. - claimant 85; 91.
THOMPSON - 203; (2) 34.
THOMPSON, ALDERMAN - (1) 8.
THOMPSON, MR. - (1) 15; Police Magistrate (1) 13; (2) 29.
THOMS, JOSEPH - claimant 87.
THOMSON, MR. - 117.
THOMSON, S.M. - claimant 85; 91.
THORP, MR. - 336.
THREE KINGS ISLANDS - see also DREI KONIGE (1) 1.
THURLOW - claimant 85.
TI - chief Nelson district 62.
TIAHO - 267.
TIAKI - 210; 238.
TIAKI KAI - 258.
TIAKI PUKU - 266.
TIAKI TAI - 217.
TIAKIKAI - see also TIMARU 257.
TIAKIKAI TIMARU - 211; 212.
TIAKIKAI, TIMARU - see TIMARU TIAKIKAI.
TIARE HAPE - 285.
TIARE RU - 285.
TIARE TE AU - 286.
TIARE WEETERE - 210; 288.
TIARI WETERI - 238.
TIEMI KOKORAU - 256; 257.
TIEMI KOKORAU TE KORO - 258.
TIEMU NOHOMUTU - 253; 256; 257; 258.
TIENI - 261.
TIHAU - 286.
TIHAU, IRAI - see IRAI TIHAU.
TIHOI, RAIMA - see RAIMA TIHOI.
TIKOJOPE - see map 314.
TIKAO - 76; 210; 213; 214; 220; 221; 228.
TIKAO, JOHN - 210; 211; 216; 218; 219; 255.
TIKAI - 288.
TIKAU POINT - 76.
TIKI RARURARU - 325.
TIKINI PAHAU - 287.
TIKORANGI, HAKOPA - see HAKOPA TIKORANGI.
TIKUKAHORE, CAPE - 66.
TIMARU - 207; 215; 217; 219; 220; 224; 225; 251; (3) 44; (3) 45; see also CAROLINE BAY; see also TIAKIKAI.
TIMARU TIAKIKAI - 259.
TIMARU, HOANI/HOANA - see HOANI/HOANA TIMARU.

TIMARU, TIAKIKAI - see TIAKIKAI TIMARU.

TIMOTI - 266; 266; 286; 288; of Ngatiwai hapu 315.

TIMOTI KARETAI - 198.

TIMOTI TE NGATARI - 311; 316.

TIMOTI, TIOTI - see TIOTI TIMOTI.

TINLINE - 289.

TINLINE, J. - 267; 312.

TINLINE, JOHN - 266; 291; 293; 294.

TINLINE, MR. - 291; 297; 306; (2) 14; (2) 29.

TIOPIRA TUKOKO - 316.

TIOPIRA TURA - 287.

TIORI-PATEA, MOUNT - 5.

TIORO WAITARA - see WAITARA TIORO.

TIOTI TIMOTI - 197.

TIPA, PITA - see PITA TIPA.

TIPENE - 288.

TIPENE NGARUNA - 267.

TIPENE PAREMATA - 311.

TIPENE PEPE - 285.

TIPENE TETE - 286.

TIPENE TUITI - 316.

TIPORA - 214.

TIRAKI - 238.

TIRAMOREHU, MATIAHA - see MATIAHA TIRAMOREHU.

TIRENE - 309.

TIRENI TURANGAPEKE - 325.

TIRITI PAKAROA - 314.

TIRO - 66.
TITAH - 64; 66.
TITI - see also MUTTON BIRDS 278; see map 314.
TITIKURA - 287.
TITIRANGI - 316; 317.
TITYORE - 313.
TOAIA, ROPATA - see ROPATA TOAIA.
TOANGINGA, PARAONE - see PARAONE TOANGINGA.
TOBACCO - Hobson opposes tax 18; natives indulge in use of 18.
TOHE - 287.
TOHEA, WIREMU - see WIREMU TOHEA.
TOHEROA - 306; signatory 66.
TOHI - 257.
TOHITU - of Karoro 102.
TOIERE - 326; Pa 291.
TOITOI - 91.
TOITOI RIVER - 90.
TOITOT BAY - 278.
TOKAMARIRO - Plains 102.
TOKAMARU - 309.
TOKATA - 3; 198; 198; 285; 287; south headland, Molyneux Bay 101.
TOKATA POINT - 278; (2) 10; see map 104.
TOKATO - 103.
TOKE, KARO - see KARO TOKE.
TOKI - widow of Tahu 102.
TOKOMARU - (3) 38.
TOKU MARU - see map 2 206.
TOM, MR - 299.
TOMITI - 231.
TOMS, JOSEPH - 298; claimant 92.
TONGAREWA - chief Nelson district 62.
TONGENNERA, HOHENA - see HOHENA TONGENNERA.
TOPEORA - Rangihaeata's daughter 307.
TOPEORA, TE KUINI - 307.
TOPI - 104; 213; 221; 228; 238; 280; 281; 282; 283.
TOPI KIHAU - 210; 238.
TOPI PATUKI - (2) 21; see also HONE/PATUKI/TEONE/TIONE.
TOPI, JOHN - 157; 211; 212; 216; 217; 218; 219; 220; 239; 286; see also HONE/PATUKI/TEONE/TIONE 151.
TOPI, TE ONE - see also TE ONE TOPI/HONE/PATUKI/TEONE/TIONE.
TOPIRA, KARI - see KARI TOPIRA.
TOREAMOAU - see map 314.
TORLESSE, CHARLES O. - 257.
TOROA - (3) 37.
TOROHANGA, APORO - see APORO TOROHANGA.
TORRENS, COLONEL - (1) 8.
TORY - ship 53; (1) 8; (2) 1.
TORY CHANNEL - 66; 294; 298; 299; see map 314.
TOTARANUI - 293; 309; 310; 319; (3) 40; or Queen Charlotte's Sound 64.
TOTI - 277.
TOTO - 312; 318; 318.
TOTO'S RIVER - 85.
TOTOI RIVER - 84.
TOTOI, KEREOPA - see KEREOPA TOTOI.
TOTOWAI - 89.
TOTOWAI'S RIVER - 83; 85.
TOWE'S RIVER - 86.
TOUWERE - of Karoro 102.
TOWAKI - 154.
TRADE - 50; flax exports 53; role of NZ Co. in 43; see also CHRISTIAN, WILLIAM; timber exports 53; value of commodities, 1844-62.

TRAILL, DR. - (3) 47.

TRAILS - to Waiau 246.

TRANSPORT - Horse 204; Horse & Cart 203; mokihia (3) 49; mokis, inland transport 232.

TRAVERS, MR. - 173; 176; 178; 179; 181; 187; 188; 188; 190; 191; 192.

TREASURER - accompanies Hobson to NZ (1) 6; office proposed 16.

TREASURY - 165; 167; 168; 171; 172; 173; (2) 2; Lords of (1) 5; financial state of colony (1) 15; financial state of colony (1) 18; limited funding for education 34.

TREASURY, BRITISH - 28; (1) 15.

TREASURY, NZ - 29.

TREATY OF WAITANGI - 149; (1) 6; (1) 7; (1) 9; (2) 2; (2) 7; (2) 8; (2) 9; (2) 32; (2) 33; English version 24; Maori version 23.

TREES/WOODS/FORESTS - 246; kaitakea, matai, kohai, totara, rata 278; 279; broadleaf 280; tawa 294; Canterbury (3) 40.

TRESPASS - cattle, on Maori land 25.

TRIBES - British attitude to 33; 31; Otakou tribe exterminated 102; Protection of 32; chiefs register ships 22; chiefs, Banks Peninsula 76; had no nationality 20; reserves for chiefs' families 51; sovereignty of, acknowledged 20.

TRYWORKS - 225.

TU MARINA - see map 1 206.

TU MAUNGA, MATIAHA - see MATIAHA TE MAUNGA.

TUA MARINA - 203; 204; 266; (1) 13.

TUA MARINO - see map 2 206.

TUAIWI - 220; 228.

TUAIWI RESERVE - 216.

TUAIHURU - 210; 238.

TUAIMATArehu - 307.

TUAMARINA RIVER - 298.

TUAMARINA, WAIRAU - see WAIRAU TUAMARINA.
TUAMARINO - 308; 309; map facing 206.

TUAPUKA - whanau of 231.

TUATAIRE SOUND - 214.

TUAU TE KURA - (3) 51.

TUAAU - 76.

TUAAU MANAHE - 238.

TUAWAIKI - deed of sale 88.

TUAWA - 210.

TUAWAIIKI - 102; see also TUHAWAIKI.

TUCKETT, F. - 98; 100.

TUCKETT, FREDERICK - 104; (2) 21; Agent for NZ Co. 99; Chief surveyor, NZ Co. 96.

TUCKETT, MR. - 95; 97; 97; 99; 101; 135; (1) 23; (2) 10; (2) 20; Chief Surveyor (1) 12.

TUDOR, MR. - (2) 20.

TUDOR, REV. MR. - (2) 19.

TUDOR, T.L. - 317.

TUHA WAIKE - 76; see also TUHAWAIKI; TUAWAIIKI 102.

TUHATA, INIA - see INIA TUHATA.

TUHATU HONE WETERE - 314.

TUHATU, HOANI - see HOANI TUHATU.

TUHAWAIKI - 103; 198; 210; 216; (2) 17; (3) 49; (3) 50; chief, Otakou 102; see also BLOODY JACK (2) 21; TUHAWAIKI 102.

TUHAWAIKI TE KORAKO - 238.

TUHAWAIKI, JOHN - 104.

TUHURU - (3) 49; Poutini chief (3) 45; (3) 46.

TUJ - chief Massacre Bay area 62.

TU KICPI - 66.

TUITI, TIPENE - see TIPENE TUITI.

TUKAHA - 257; 258; 258.

TUKARIATORO - (3) 43.
TUHI, TE ONE - see TE ONE TUKI.
TUHIAU - (3) 42; (3) 43.
TUHOKO, PARANIHI - see PARANIHI TUKOKO.
TUHOKO, TIOPIRA - see TIOPIRA TUKOKO.
TUHUREHU - 308; 309.
TUHURUA - 5; 286; 295; 296; 318; 318.
TUHUTUHU, TAMU - see TAMU TUHUTUHU.
TUMATAKURU - a plant 232.
TUMUTU - 231; 273.
TUNGIA - 65; 307; 314.
TUNOAMAI - see map 314.
TUNOKO - see map 314.
TUNUI, HORI - see HORI TUNUI.
TUPEHA - 259.
TUPOKI, EPIHA - see EPIHA TUPOKI.
TUPUA - 316.
TUHUHURIA, PINIHA - see PINIHA TUPUHURIA.
TURA, RIOPIRA - see RIOPIRA TURA.
TUKAOUTAHI - (3) 40.
TUKANINA - 64; 66; 66.
TUHANUKA, KORAKO - see KORAKO TUHANUKA.
TUHANEA, MERI - see MERI TUHANEA.
TUHANGA - 285; in Auckland province (1) 2.
TUHANGA-NUI-A-RUA - see also POVERTY BAY (3) 41.
TUHANGAPEKE, RIWAI - see RIWAI TUHANGAPEKE.
TUHANGAUPU - 285.
TUHI, REIHANA - see REIHANA TUREA.
TURI - (3) 37; Ngatimaramo chief (3) 40.
TURI, TEOTI - see TEOTI TURI.
TURIA - 316.
TURIMAWIWI - 322; 325.
TURNER, H.F. - see map 1 206.
TUROA, WI - see WI TUROA.
TUTAHANGA - 60; 65; signatory to Kapiti deed 55.
TUTAI, HONE PUMPI - see HONE PUMPI.
TUTAKAI, HOHUA - see HOHUA TUTAKAI.
TUTAKAI, MANIHERA - see MANIHERA TUTAKAI/TUTAKI.
TUTAKI, MANIHERA - see MANIHERA TUTAKI/TUTAKAI.
TUTANAENANE - see map 314.
TUTARA - signatory 67.
TUTARIA - 287.
TUTAWAI, HAMUERA - see HAMUERA TUTAWAI.
TUTE WAI UO - 104.
TUTEKAWA - (3) 43.
TUTERANGIAPIAPI - (3) 43.
TUTERAU - see map 104.
TUTERI, PIKIRAKAU - see PIKIRAKAU TUTERI.
TUTEURETIRA - (3) 41; (3) 42.
TUTEWAIMATE - (3) 40; (3) 41.
TUTURAU - 270; 272; 273; 273; 275; 277; 278; 280; 285; 287; (3) 49.
TUTURAU, TAKAREI - see TAKAREI TUTURAU.
TUWARE, ERUERA KINGI - see ERUERA KINGI TUWARE.
TUWHATA, HOANI - see HOANI TUWHATA.
TYTLER, JAMES STUART - witness, Case No. 374A 61.
UKU - 314.
UMUKAHA - 217.
UMUKAHA RIVER - 225.
UMUNGATA - see map 314.
UNDER SECRETARY - 339.

UNDINE - ship 264.

UNION BANK OF AUSTRALIA - 57; 63; 115; 118.

UNITED STATES - (1) 4.

UNWIN, F.W. - claimant 86; 91.

UOERSE - Ship 214.

UPOKOHINETEWAI - 258.

URIKORE - (3) 42.

URUPA - see map 320.

URUWERA - Lake George 278.

UTIKA TE RANUI - 311.

VAN DIEMAN'S LAND - 12; 20; 22; 29; 34; 51; 53; 178; 281; (1) 1.

VANCOUVER, CAPTAIN - (1) 2.

VESSELS - canoes, boats 275; mokis 279.

VICKERY - 89; claimant 83.

VICTORIA - ship 202; (1) 13.

VICTORIA, QUEEN - 26; 147; 148; 266; 267; 308; 308; 309; 313; 314; 316; 317; 318; 319; 322; 338; (1) 5; (1) 6; (1) 24; see also QUEEN, H.M./WITITORIA, KUINI.

VICTORIAN GOVT - 115.

VOGEL, JULIUS - 144.

WAENWEAE BAY - 279; 279; 280.

WAHAPIO - 271; 273; 274; 280.

WAI POUNAMU - 309.

WAI ROAWAITI - 84.

WAI TAUGI - see map 2 206.

WAI-AU-TOA - see also CLARENCE RIVER (3) 50.

WAI-AU-UWHA RIVER - (3) 45.

WAIANUA - 246.

WAIAPU - (2) 35.
WAJARAKI - (3) 50.
WAJAREKA - 224; 232.
WAJARI - 197; 198.
WAJAU - 246; 275; 277; 279; 280.
WAJAU RIVER - at Foveaux Strait (2) 14.
WAJUA, RAWIRI - see RAWIRI WAJUA.
WAJUATOA - 246; 247.
WAJARAKEKE - 306.
WAJHUAU - 232.
WAJHOLA - 118.
WAJHOPAI - 278.
WAJHORA - 224; 225; 237; 238; 241; 243; 256; 257; 258; 259; Lake 3; see also ELLESMERE, LAKE 242; see map 254; 256; 258.
WAJHORA RIVER - see map 104.
WAJHOU - see map 234.
WAJHOU RIVER - 233.
WAJKAHAHI - 242; 258; 259; Pa 243; at Lake Waihorea 3; see map 254; 258.
WAJKAHAHO - 204; see map 1 206.
WAJKAHAI - (3) 43.
WAJKAHA - 298.
WAJKAHAB - 59; 301.
WAJKAHAI - 66.
WAJKAHE - 246.
WAJKARO - see map 104.
WAJKAHO - 57; (2) 18; (2) 35; (3) 46.
WAJKAHO TRIBE - (1) 20; (2) 25; (3) 38.
WAJKAHO TRIBES - (2) 33; (2) 34; (3) 50.
WAJKAWA - 4; 64; 86; 91; 231; 233; 233; 264; 266; 269; 278; 294; 298; 299; 308; 309; (2) 14; see map 234; 266; 267; 314.
WAJKAWA BAY - 264; 265.
WAIKAWAITE - 92; 98; 99.
WAIKAWAU, MOHI - see MOHI WAIKAWAU.
WAIKERE, PIRIHIRA - see PIRIHIRA WAIKERE.
WAIKIRIKIRI - 224.
WAIKOAU - 277; 278; 279; 279; 280.
WAIKOUAITI - 88; 103; 117; 118; 154; 215; 217; 218; 220; 224; 225; 232; (2) 7; (2) 20.
WAIKOURA - 117; 217; 220; 232.
WAIKOUWAITI - 90; land claim 86.
WAIKOWAITIE - 97.
WAIMAkariri - 214; 216; 246; (3) 49.
WAIMAkariri Reserve - 216.
WAImataitaI - 224; 235.
WAIMATEMATE - 232; 233; 234; see map 234.
WAIMATUKU - 278.
WAIMEA - 64; 64; 66; 66; 67; 68; 203; 309; (1) 12; (2) 3; (3) 39; lands awarded to NZ Co. 60.
WAIMIMITIA - see map 314.
WAINI - 59; 255; 294; 295; see map 254.
WAINIUI VALLEY - (3) 48.
WAINIUI, ROPATA - 307.
WAINUEMATA - 278.
WAIONGONA - (1) 10.
WAIOPAI RIVER - see map 1 206.
WAIOPIO - see map 314.
WAIOPIPI - 275.
WAIOTEMAKUA - see TE WAIOTEMAKUA 242.
WAIPA - (1) 12.
WAIPAPA - 64; (3) 40; (3) 41; (3) 42; (3) 43; see map 314.
WAIPARA - 214; 217; 246; (3) 49.
WAIPARA PA - (3) 40.
WAIPIPAIKA - 224.
WAIPORI RIVER - see map 104.
WAPOUNAMU - 3; 308; 311.
WAIPUHURU - 259.
WAIPUKURAU - (2) 35.
WAIPUPU - 66.
WAIRARAPA - 66; 79; 95; 281; 301; 310; (1) 23; (2) 9; (2) 35; (3) 41; (3) 44.
WAIRARARAPA - 59.
WAIRAU - 3; 4; 4; 5; 57; 57; 59; 60; 63; 64; 66; 72; 82; 86; 91; 97; 203; 205; 206; 229; 246; 263; 265; 266; 293; 294; 297; 297; 298; 300; 301; 302; 304; 306; 306; 308; 309; 311; 312; 313; 313; 329; 330; 331; (1) 12; (1) 12; (1) 15; (2) 4; (2) 13; (2) 29; (3) 39; (3) 40; (3) 41; (3) 42; (3) 46; (3) 47; (3) 50; Purchase (2) 12; Rauparaha denies selling 58; catastrophe at 59; deed of cession 204; not in crown grant to NZ Co. 57; see map 2 206.
WAIRAU BLUFFS - (2) 16.
WAIRAU MASSACRE - (1) 12; (1) 13; (1) 15; (1) 20; (2) 3; (2) 29.
WAIRAU PLAINS - see map 1 206.
WAIRAU PURCHASE - 201; 202.
WAIRAU RIVER - 203; 204; 302; (1) 13; (2) 13; see map 1 206.
WAIRAU TUAMARINA - 3.
WAIRAU VALLEY - 203; 204; (1) 24; see map 1 206.
WAIRAUARAHIRI - 279.
WAIRAWEKE - see also WAKEFIELD, W. 238.
WAIRERAP - 64.
WAIRERE - see map 314.
WAIREWA - 242; 249; 254; 255; 255; see also LITTLE LAGOON 254; see also LITTLE RIVER 243; see map 254.
WAIREWU - 217.
WAIROA - 64; 69; (2) 35.
WAIRUA, MU TUHI - 316.
WAIRUNU - signatory 66.

WAITA, WEROHIA - see WEROHIA WAITA.

WAITAHA - 233; (3) 40.

WAITAKI - 215; 216; 217; 220; 224; 275; 279; (2) 23.

WAITAKI GORGE - 117.

WAITAKI RIVER - 117.

WAITAKI VALLEY - 224.

WAITANGI - 205; 206; 217; 218; 231; 232; 233; (2) 7; Bay of Islands.

WAITANGI GORGE - 231.

WAITANGI LAKES - 232.

WAITANGI RIVER - 116; 117; 231; Bay of Islands (1) 6.

WAITAPU - see map 314.

WAITARA - (1) 10; (2) 34; (3) 37; (3) 38; signatory 66.

WAITARA TIORO - 309.

WAITEMATA - (1) 11.

WAITEMATE - 220.

WAITERI, RAWIRI - see RAWIRI WAITERI.

WAITERUATI - 217; 217; 224.

WAITI, RIA - see RIA WAITI.

WAITI, TEONE - see TEONE WAITI.

WAITIKINHI - 224.

WAITIRI, IHAIA - see IHAIA WAITIRI.

WAITOHI - 4; 66; 203; 263; 264; 265; 266; 267; 294; 294; 298; 299; 308; (2) 13; (2) 14; daughter of Te Pehi (1) 20; deed, in Maori 267; deed, signatories, see map 266.

WAITOHI VALLEY - see map 1 206.

WAITOTARA - 64; 66.

WAIU-UA RIVER - (2) 16.

WAIUKU - (2) 35.

WAIWAKAHEKE - 104; 198.
WAIWAKAHEKI - see map 198.
WAIWERO - 277.
WAIWHAKAHEKI - 197.
WAKA - see TAMATI WAKA NENE.
WAKA NENE - (1) 20; (1) 22; see also TAMATI WAKA NENE/WALKER NENE I) 6.
WAKA TE KOTUA - 311.
WAKA, TAMATI - see TAMATI WAKA.
WAASAARI - 104.
WAKAMARINA - see map 320; 320.
WAKANUI - 224; 225; see map 320; 320.
WAKAPAKEKE, TAMATI - see TAMATI WAKAPAKEKE.
WAKAPATO POINT - 116.
WAKAPOAI RIVER - 5.
WAKAPUAKA - 56; 64; 66; 302; 304; 322; 334; (2) 15; (2) 16; (3) 39; (3) 48; reserve 333; see also WHAKAPUAKA 64; 68; see map 320.
WAKARAU RIWAI - 311.
WAKARAUPO - see also PORT COOPER 245.
WAKAREWA, MOUNT - 5.
WAKARUA - 278.
WAKARURU, HOANI - see HOANI WAKARURU.
WAKATEPE - 287.
WAKATIPU - 232; 287.
WAKATU - 55; 57; 58; 59; 66; (1) 12; (2) 3; land required for settlement 64; lands awarded to NZ Co. 60.
WAKEFIELD - 60.
WAKEFIELD, ARTHUR - (1) 12; Natives of Nelson given gifts 62.
WAKEFIELD, CAPTAIN - 56; 57; 63; 335; (1) 9; (1) 13; (2) 3; (2) 30; see also ARTHUR WAKEFIELD 5.
WAKEFIELD, COLONEL - 52; 54; 55; 56; 57; 60; 63; 69; 70; 79; 100; 102; 103; 129; 131; 135; 136; 136; 138; 144; 198; 222; 241; (1) 9; (2) 1; (2) 2; (2) 10; (2) 12; (2) 28; instructions to, from NZ Co. 49; see also WILLIAM WAKEFIELD 59.

WAKEFIELD, COLONEL W. - 130.

WAKEFIELD, D. - 241; (2) 12.

WAKEFIELD, DANIEL - 97; 100; 101; 154.

WAKEFIELD, E.G. - (1) 23.

WAKEFIELD, EDWARD J. - 59; (1) 8.

WAKEFIELD, W. - 95; 99; 137; claimant for NZ Co. 87.

WAKEFIELD, WILLIAM - 64; 66; 96; 101; 104; 104; 210; 238; 239; (1) 8; signatory, 3rd deed 67; see also WIREMU Wekepiki.

WAKENUI - see map 314.

WAKIHI, MERE - see MERE WAKIHI.

WALKER NENE - (1) 17; see also TAMATI WAKA NENE/WAKA NENE.

WANAKA, LAKE - (3) 48; (3) 49; (3) 51.

WANGAIHU - 64; 66.

WANGAMOA - 333; see map 320.

WANGANUI - 58; 59; 59; 64; 66; 66; 233; 289; (1) 10; (1) 22; (3) 37; (3) 39; (3) 39; (3) 45; (3) 50; Cloudy Bay 66; in Nelson district 327; in Taranaki district (1) 19; (1) 21; (1) 24; see also PORT UNDERWOOD 64.

WANGANUI, UPPER - (2) 35.

WANGANUIATERA - 64; Port Nicholson 66; see also PORT NICHOLSON 64.

WANGARAE - see map 320.

WANGAROA - 25; see map 320.

WANHOU CLIFF - 232.

WANHOU, CAPE - see CAPE WANHOU.

WAR - 25; see also NATIVE WARS/WARFARE.

WARD, J. - 195.

WARD, MR. - 173; 182; 266.

WARD, MR. JUSTICE - 174.
WAREHAMA - 64; 64.
WAREHAURA - 66.
WAREKAI - 220.
WAREKORARI - see TE WAREKORARI 232.
WARFARE - (1) 4; 60,000 killed (3) 52; Bay of Islands (1) 18; Taranaki, and Waikato (2) 34; see TARANAKI WARS (2) 34.
WARIKARU - 288.
WARITOKARIKI - 277.
WARIJUNGA - see map 314.
WARUWARUTU - 210; 238.
WARUWARUTU, NATANAHIRA - see NATANAHIRA WARUWARUTU.
WASTE LAND - (2) 8; Commissioner 324.
WASTE LANDS - (1) 7; (1) 11; (1) 21; (2) 11; to be property of crown (2) 32.
WASTE LANDS ACT - 153; 1854 180; 1854 189; 1856 180; 1858 180; 1858 193.
WASTE LANDS ACT 1854 - (1) 26.
WATA MANGA - 66.
WATAMANGO - 299.
WATAMARAKI - 258; 259.
WATAMONGA - see map 314.
WATAPU - 310; see map 314.
WATAPU MIRITU TE ERA WAHINE - 66.
WATENE - of White's Bay 330.
WATENE HOKO - 317.
WATENE TAUNGATARA - 315.
WATENE TE MANEA - 312.
WATERHOUSE - see NOHOROA 203.
WATIKINGI, HEMI - see HEMI WATIKINGI.
WATINO - signatory 66.
WATINO, RAWIRI - see RAWIRI WATINO.
WATIURA - see also WHATIURU 314.
WATTURU - see map 314.

WATKINS, MR. - (2) 20.

WATSON, BRIDGET - 276.

WATSON, HARRIET - 276.

WATSON, JOHN - 210; 211; 212; 212; 238; 239.

WATSON, MR. - 254.

WATSON, STEPHEN - 276.

WATU - see NGA WATU.

WAUBROW, CAPE - see CAPE WAUBROW 233.

WAUKOU - on "the Pilot", Takaka area 62.

WAWETE, RA - 257.

WEAPONS - Patu paraoa - whalebone club (3) 44; mere paraoa (3) 51.

WEBB, HENRY - (1) 8.

WEBB, JOSEPH - 86; claimant 91.

WEHEA, APERAHAMA RANGI - see APERAHAMA RANGI WEHEA.

WEKA - (3) 44.

WEKANUI - 66.

WEKEPIRI, WIREMU - see WIREMU WEKEPIRI.

WELD, MR. - 131.

WELD, FRED. A. - 127.

WELLER & CO. - (2) 5.

WELLER, EDWARD - claimant 86; 91.

WELLER, G. - 86.

WELLER, GEORGE - 86; claimant 91.

WELLINGTON GAZETTE - newspaper 102.

WELLINGTON - 59; 69; 97; 175; 186; 201; (1) 9; (1) 10; (1) 11; (1) 12; (1) 13; (1) 15; (1) 19; (1) 20; (1) 21; (1) 22; (1) 23; (1) 26; (2) 24; (2) 35; (3) 48; earthquakes (1) 24; signatories to the sale of 65.

WELLINGTON DISTRICT - place names in 64.

WELLS, MR. - 215.
WENTWORTH, C. - 90.
WENTWORTH, MR. - (2) 5.
WENTWORTH, W.C. - claimant 86; 92.
WERA, TEOTI - see TEOTI WERA.
WERAAHI, TEONE - see TEONE WERAAHI.
WERANGA O WAITOHU - 267.
WEROHIA WAITA - 197.
WESELYAN SOCIETY - (2) 20.
WESLEYAN - 217.
WESLEYAN MISSION - 203; (2) 18.
WEST BAY - see also PUNARUAWITI 66.
WEST COAST - 5; 87; 88; 209; 214; 220; 246; 270; 272; 273; 275; 289; 290; 293; 300; 301; 303; 321; 323; (2) 14; (2) 16; (2) 31; North Island (2) 1; (3) 38; of Middle Island (3) 50; of South Island 86; (2) 13; (3) 39.
WEST WANGANUI - 321; 325; (2) 14; (3) 49; reserve 326; see also WEST WANGANUI.
WEST WHANGANUI - 4; 322; (2) 15; see also WEST WANGANUI.
WESTLAND - (2) 35.
WETANUKU, HIMIONA - see HIMIONA WETANUKU.
WETERE, TUHATU HONE - see TUHATU HONE WETERE.
WETERI, TIARE/TIARI - see TIARE/TIARI WETERI.
WETIKAU - 266.
WAINGAROA - (3) 37.
WAHTI PIRIHIRA - 285.
WHAKAARI - 198.
WHAKAMINENGA O NIU TIRENI - see also NEW ZEALAND COMPANY 238.
WHAKANA, RANGI - see RANGI WHAKANA.
WHAKAPAKEKE, TAMATI - see TAMATI WHAKAPAKEKE.
WHAKAPUAKA - 309; 311; Spain's settlement 62; deed of sale 67.
WHAKARAUPU - 257; see also PORT COOPER 256.
WHAKARIMU - see map 258.
WHAKATANE - (3) 37.
WHAKATIPU - 275.
WHAKATIPU WAITAI - 285; see also MILFORD HAVEN 211; 238; 239.
WHAKATU - 67; 68; 210; 238; 309; 317; Spain’s settlement 62; see also WAKATU 64.
WHAKAURARE, TARE - 317.
WHAKITENOAA - see map 320.
WHALING - 11; 28; (2) 21; (2) 26; guns sold to natives (3) 46; influence of, (1) 8; interaction with Maori (1) 2; station 217; station at Moturata, on map 104; stations Otago 102; stations Banks Peninsula 27; whaler influence on Maori 103.
WHANGA, TAMATI - see TAMATI WHANGA.
WHANGAMOA - 297; 316; 317; 317.
WHANGANUI - 313; 323; (2) 35; Chief, in Massacre Bay area 62; see also TE WHANGANUI.
WHANGAPARAOA - (3) 37.
WHANGAPAROA - (1) 20.
WHANGAROA - 297; 316; 317; 317.
WHANGAREI - (2) 35.
WHANGAROA - (2) 18; (3) 38.
WAREHUIA, AKUIRIA - see AKUIRIA WAREHUIA.
WAREMARU, PORANA - see PORANA WAREMARU.
WHARVES - see RESERVES, PUBLIC.
WHATTENOA - see map 320.
WHATIURU - 314.
WHENO, RORA - see RORA WHENO.
WHENUAKURA - 4; 64; 66; 294; 318; 319.
WHENUANUI - see map 314.
WHITBY - ship (1) 12.
WHITBY, GEORGE - 211.
WHITE BLUFF - see map 1 206.

WHITE ISLAND - (1) 24.

WHITE'S BAY - 302; 330; 331; see map 330; Native Reserve 329; see also PUKATEA 329; TE PUKATEA 306; (3) 40.

WHITE, GEORGE - (1) 15.

WHITE, TIMOTI - 285.

WHITELOCK, HENRY - 276.

WHITIKAU - 298.

WHIU, TE MAKÁ - see TE MAKÁ WHIU.

WI KANAÉ - 3; 205; 206; see map 2, 206.

WI KARAWEKO - 259.

WI KURAÉ - 201.

WI PARAMÁ - 306.

WI REHUA - 287.

WI REHUI - 285.

WI TAKO - 311.

WI TAPIANA - 315.

WI TE AROAHO - 309.

WI TE KANAÉ - 311.

WI TE WHAWHARUA - see also WIRIHANA TE WHAWHARUA 307.

WI TUROA - 286.

WIARE TE KAHU - 286.

WIKIRIERA - of White's Bay 330.

WIKITORIA - 261; 267; 307; 313; 316; see also WIKITORIA, TE KUINI; see also QUEEN, H.M./VICTORIA, Queen; see map 266.

WIKITORIA APAHUNA - 309.

WIKITORIA, TE KUINI - 307; 308; 309; 310; 312; 314; 315; 316; 317; 318 see also QUEEN, H.M./VICTORIA, Queen.

WILKIN, MR. - 136; 137; 144.

WILL WATCH - (1) 12.
WILLIAM - of Aparima 276.

WILLIAM IV, KING - (1) 3; (1) 7.

WILLIAMS, MR. - (2) 12.

WILLIAMS, PETER - claimant 86; 92.

WILLIAMS, R. - 118; 141.

WILLIAMS, ROBERT - 286.

WILLS, J. - see map 336.

WILLS, MR. - 117; 217; 218; 219; 222.

WILLS, THOMAS - 335; 336.

WILLSHER, GEORGE - 103.

WILTSHIRE, MR. - 102.

WING, MR. - ship’s master 101.

WINIATA - 307.

WIREMU - 210; 238.

WIREMU HAFE - 212.

WIREMU KATENE TE MANU - 325; 333; (2) 15.

WIREMU KATENE TE PUOHO - 318.

WIREMU KINGI - 309.

WIREMU KINGI TE KOIHUA - (2) 14.

WIREMU KINGI WITI - 308.

WIREMU NERA TE KANAE - 302; 306; 314.

WIREMU NGAPARU - 317; signatory 68.

WIREMU ONATAIKA - 315.

WIREMU PARATA TE ATAWIRI - 259.

WIREMU PARATENE - 299; 312; 313; 330.

WIREMU PEPENE - 309.

WIREMU POTIKI - see also POTIKI 211.

WIREMU REHU - 286.

WIREMU REHUA - 286.
WIREMU ROPATA KAUPANE - 308.
WIREMU TAKO - 310.
WIREMU TE KAIHUA - 321.
WIREMU TE KANAE - 304; 313.
WIREMU TE KOHUA - 289; 291; 292.
WIREMU TE PUKE - 314.
WIREMU TE RAKI - 210; 238; 285; 286; 288.
WIREMU TOHEA - 314.
WIREMU WEREPIRI - 68; 104; see also WAKEFIELD, WILLIAM 67.
WIREMU, HENERE - see WIREMU HENERE.
WIRETI TE AU - 311.
WIRIhana - 307; of White’s Bay 330.
WIRIhana HAIWHAKAWA - 312.
WIRIhana KAIHATA - 311.
WIRIhana KAI PARA - 316.
WIRIhana KAUHATA - 326.
WIRIhana RAUKITUA - 326.
WIRIhana Ruru - 316.
WIRIhana TE WEKI - 316.
WIRIhana TE WHAWHARUA - see also WI TE WHAWHARUA 314.
WIRITIA - 286.
WITI, WIREMU KINGI - see WIREMU KINGI WITI.
WITIKAU - 266; 267; 315; 315.
WITIKAU NGAWHENA - 314.
WTWI RANGIMOKO - 314.
WOCKAPATOO - see KAWAKAPUTAPUTA 278.
WOHLERS, MR. - (2) 22.
WOHLERS, MRS. - (2) 20; (2) 22.
WOHLERS, REV. - (2) 20.
WOOD, R. - 119; 122; 123; Colonial Treasurer 116.

WOOD, READER - 126; 126.

WOODS/FORESTS - see TREES/FORESTS/WOODS.

WOODWARD, J. - 158; 159.

WOODWARD, MR. - 160; 161; 165; 166; 167; 168; 170.

WRIGHT - claimant 83.

WYNEN - 83; 89.

WYNYARD, COLONEL C.B. - (1) 26.

YATES, R.T. - Land Commissioners secretary 65.

YATES, REV. MR. - (1) 3.

YELLOW BLUFF - 224; 280.

YOUNG, GEORGE F. - (1) 8.

YOUNG, MR - 70.

YOUTH - care and education of 34.

ZINGARI - ship 302.