

nature and meaning of the word 'cultivations,' were to be understood to apply to those tracts of country which were in use 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."

The lands of this description in the settlement were chiefly situated in Massacre Bay, and consisted principally of cultivated grounds scattered in small patches of a few acres in all manner of fantastic shapes throughout sections owned by the 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 1853, Sir George Grey granted a number of the Native reserve sections at Motueka—in all 918 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 contravention 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 disapprobation 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 *scire facias*, 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 have 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 thereat, 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 being salutary and politic, 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 include lands set apart solely for the Natives under express agreement with the Imperial Government, under the terms of the prospectus of three of the settlements of the New Zealand Company, and as part of the consideration for the cession of Native territory.

The purpose of the reserves 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 forbade alienation except by lease, and declared all charges or incumbrances on the Trust Estate to be void.

The right of pre-emption being vested in Her Majesty by the Treaty of Waitangi, and certain Acts and Ordinances 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 17th, 1865, at which date it was done away with by Proclamation. "The Native Land Act, of 1862," 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 cession of Native lands to the Crown had heretofore been conducted, was rendered unnecessary.

In the purchases effected at various times and in various places, portions of almost every block purchased were reserved by the Natives, and in some cases by the Commissioner who negotiated the purchase under instructions from the Government.

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 acreage of 5,053 acres, a large proportion of which is in the occupation of tenants, and the revenue accruing is spent in various ways for improving the general condition of the Natives. The total amount collected from the estate since the year 1842, the period at which these lands were selected, to the 31st December, 1869, amounted to £12,634 18s. 3d.; and the expenditure on behalf of the Natives during that period was £11,432 11s. 11d., leaving a balance of £1,202 1s. 4d. 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, 1856," 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