

# REPORTS

ON THE

## SETTLEMENT OF CONFISCATED LANDS.

(WEST COAST DISTRICT.)

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PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF  
HIS EXCELLENCY.

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WELLINGTON.

—  
1872.



## REPORTS ON THE SETTLEMENT OF CONFISCATED LANDS.

### No. 1.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wellington, 7th June, 1870.

I have the honor to bring under your notice the fact that, up to the present time, no general trigonometrical survey has been made of the confiscated lands on the West Coast.

I understand from Messrs. Wray and Williams that tie lines of a considerable length have been the only means used to check the surveys at all in that part of the district in which land has been surveyed for military settlements, with the exception of a few trigonometrical stations used to fix the position of some principal points in the course of the Patea River, and of the township of Carlyle.

An incomplete trigonometrical survey was made of land to the west of the Waitotara River, but probably most, if not all, of the stations were destroyed during the war, so that much of the work would have to be done over again, if it is decided to make a general trigonometrical survey of the whole district, a course that I strongly recommend should be adopted.

Messrs. Wray and Williams might be employed to execute this work during the time that must elapse before any of those lands can be surveyed for sale, in consequence of the unsettled state of the Crown title, owing to claims made by Natives, under Compensation Court awards and promises made to them by Government, many of which can only be dealt with by the Legislature, or by arrangements being made with the Natives, by Mr. McLean, by which all rights shall be strictly defined.

Under any circumstances it will be necessary to have a complete system of survey, without which it will be impossible to deal with the lands in a satisfactory manner.

The more complex the boundaries between European and Native land, the more necessary it is to have maps made which will scale correctly, a result which can only be obtained by basing them upon an accurate trigonometrical survey.

Were the land entirely free to be dealt with as the Government pleases, it might be possible to adopt the plan commonly used in those parts of the United States where land is comparatively valueless, and simply divide it into rectangular blocks, by cutting parallel lines and others at right angles to them, and selling the blocks as containing a certain number of acres more or less; but in the case of the West Coast lands, such a method would lead to endless confusion and ultimate expenditure, besides producing a general feeling of insecurity very injurious to the settlement of the country.

From a report of the Chief Surveyor of the Province of Wellington, Mr. H. Jackson, published in the volume of Acts and Proceedings of the Provincial Council of Wellington for 1868, E. No. 7, I find that the survey of 550 square miles of major triangulation of eight to ten miles a side, cost  $\frac{1}{4}$ d. per acre, and 607 $\frac{1}{2}$  square miles of minor triangulation of two or three miles a side, cost  $\frac{3}{4}$ d. per acre, of which latter the maximum error was only 1 $\frac{1}{2}$  feet per mile. The average cost of the sectional surveys in connection with the above was 8 $\frac{1}{4}$ d. per acre.

I need scarcely point out that, under the contract system of surveying, the expense of checking surveys is very much lessened by making them depend upon a trigonometrical survey, which, if executed by contractors, would itself be required to be checked, an operation which would cost very little, while of course a trigonometrical survey once completed would form a standard by which the accuracy of all sectional surveys would be insured, and all the expense, trouble, and annoyance caused to the Government and to private individuals by inaccurate surveys, would be entirely prevented.

Before anything is decided it would be well to consult Mr. Marchant on the question which forms the subject of this letter, as I do not pretend to have more than a general acquaintance with the principles involved in the practical art of surveying.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Secretary for Crown Lands, Wellington.

### No. 2.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wellington, 16th June, 1870.

In accordance with instructions contained in the Hon. the Premier's memorandum relative to my appointment as Commissioner of Confiscated Lands, I have the honor to report as follows on the amount and character of the land available for settlement within that portion of the West Coast district which has been placed in my charge.

The district comprises the greater part of the Ngatiruanui Block, which was proclaimed confiscated land in the New Zealand Government *Gazette* of the 5th December, 1865. This included all the land between the sea and a line drawn from the summit of Mount Egmont to Parakino, a place some thirty miles up the Wanganui River, excepting, of course, all land purchased by the Crown, such as the Waitotara and Wanganui Blocks and others, estimated to contain 498,000 acres.

Subsequently, the Crown abandoned its right to all the land between the Wanganui River and a line north 22 $\frac{3}{4}$ ° east from the point where the inland boundary of the Waitotara Block strikes the Waitotara River.

In addition to this reduction made in the acreage of the confiscated land, the Compensation Court awarded to Hata Rio and other Natives 8,000 acres near the Waitotara River on conditions, as to which I reported in a memorandum for the information of the Hon. the Premier, dated the 31st May, 1870.

Besides this, there are the large reserves of Wareroa, 10,500 acres; Mokoia, 6,000 acres; and Taumaha, 2,800 acres to the north-west of the Patea River; and thirteen small ones, varying in area from 50 to 400 acres, which are all whose boundaries can be ascertained, and whose position is approximately marked on the appended tracing, which was forwarded to me by Mr. Parris, at my request, and which he describes as "a rough sketched plan of the reserves, showing the locality of each as marked off when the district was surveyed."

For convenience of reference, I have tabulated the whole of these reserves under appropriate headings, but I must remark that various other claims, which do not appear upon the face of any official record, are made by loyal and other Natives. These I have indicated by colouring certain portions of the sketch map of the district green. They are vague in their character, but cannot be neglected without danger in the present state of the country. Their existence renders it impossible to deal with any of the confiscated land with safety, till some arrangement has been made by the Government and the Natives, by which the rights of each will be strictly defined. Were this done, the open land available for settlement to the south-east of the Waingongoro River would amount to about 30,000 acres, the greater part of which would readily sell for £2 per acre if put up to auction under the Confiscated Land Regulations of April 13th, 1870. This estimate does not include the Native reserves before mentioned, or the railway reserves, which is said to contain 12,000 acres, and for the occupation of which special provision is made in the Regulations. The land to the north-west of the Waingongoro River ought not to be occupied at present, except as a military settlement, for reasons which are sufficiently obvious. The same reasons apply to some extent to the bush lands which skirt the open land, and in which I understand there are many clearings that may be occupied were there no danger to be apprehended from the Natives. As it is, to occupy such country would be to tempt them to make war upon its inhabitants, whom it would be impossible to protect. At present, though it might be useful to find out, by a kind of prospecting survey, what is its nature, I think no attempt should be made to occupy the bush country. What I recommend is, that after a general trigonometrical survey of the whole of the open country has been made, and after all the Native claims have been disposed of, that this should be regularly surveyed in a series of blocks of about ten miles in length, beginning with that next to the Waitotara River, so taken as to include all the open land and some of the forest, and then, by selling each block in succession under the Regulations, the land would fetch its full market value, and would be settled in the manner which would best conduce to the safety of its inhabitants. I need scarcely point out that the land I have referred to is, owing to its excellent quality, admirably adapted to the requirements of small capitalists who intend to work their own farms. Many of these are already settled in the district, and I have received numerous applications for blocks of land from persons who want to cultivate small farms of 200 or 300 acres.

During my recent visit to the West Coast, I found that there was a general feeling in favour of leasing land from the Government, with a purchasing clause. I am strongly of opinion that, within certain defined areas, such a system might be adopted with advantage. While it is of such importance, as a question of security, that the country should be occupied by a considerable population as speedily as possible, extra inducements might be held out to men of small means to become settlers. It has, I know, been argued that if the district is safe, people will gladly purchase land and occupy it, and that if it is not safe it is wrong to tempt them into it. The answer to this is, that the district which may be unsafe if sparsely inhabited, is made safe when its inhabitants are sufficiently numerous to protect themselves.

The ship which is certain to sink with one man at the pumps may be saved by twenty. I therefore venture to suggest that such amendments should be made in the regulations for the sale and disposal of confiscated lands, as shall enable the Commissioner, with the approval of the Secretary for Crown Lands, to have one or more blocks of 5,000 acres each surveyed into sections of from 100 to 200 acres, to be let for seven years, at 5 per cent. on the purchase money, which might be fixed at £3 per acre, the lessee having the right to complete his purchase at any time during the continuance of his lease, which should contain the usual covenants for forfeiture in case of non-payment of rent, &c., and stringent conditions of occupation and improvement should be insisted on. A low rate of interest on a higher price than is fixed as the maximum value to be placed on land sold under the Regulations of April, 1870, would suit the lessee better than the adoption of the opposite course, and the Government would, on the whole, receive much the same amount. Although I think it might be desirable to make some other alterations in the Regulations, which experience would point out, and especially to give the Commissioner more power to meet exceptional cases as they arise, and without which power great injustice may be inflicted upon individuals, and the performance of much useful work be prevented, yet, practically, more will depend upon the manner in which the Regulations are carried out than upon the Regulations themselves. At present, there is so little on which immediate action can be taken, that the correspondence and other office work of this department can easily be carried on in Wellington. When, however, the confiscated lands can be actually dealt with, it will be absolutely necessary to make their administration more local. Not only will it be necessary for the Commissioner to decide, upon the spot, all questions connected with reserves, and to see that his instructions relative to surveys and other matters are duly carried out, and that the proper value is put upon the land which is to be sold by auction, but it is essential that intending purchasers should have some easier means of acquiring information relative to the land open for sale, and to the laws affecting it, than is furnished by official correspondence. All these advantages would be gained, and the evils of delay and uncertainty be avoided, were the work of the department conducted in Wanganui. The additional expense caused by my having an office there instead of in Wellington would be but trifling, and the benefit to the public would be considerable, and be highly appreciated. It might appear that Carlyle (Patea) would be the preferable place for the Confiscated Lands Office, as being in the centre of the district; but, taking all things into

consideration, I believe Wanganui would be in many respects more convenient. Every intending purchaser of confiscated land could certainly go to Wanganui to transact his business, as there is no Bank at Patea; and many persons who would go to Wanganui from Wellington and other parts of the Colony by sea, would consider it a hardship to have to make another journey by land before they could ascertain what land was at the disposal of the Government. In addition to this, were the Commissioner stationed at Carlyle, though he might ride to the extreme boundary of his district in one day instead of two, he could not so readily correspond with the Secretary for Crown Lands, and, for some time at least, the duties of his office would not necessitate any journey further than Waihi, which is only sixty miles from Wanganui. It must also be remembered that the form of the district,—that of a strip of country very narrow in proportion to its length,—reduces the advantage of working from its centre to a minimum.

As it has already been decided that a Survey Office in connection with the Government Buildings shall be erected at Carlyle (Patea), and as the future organization of the Survey Department is now under consideration, I need not further allude to these matters, as this report is intended to call attention to the general management and position of the confiscated lands in the Patea District, and to suggest a certain course of action, but does not enter into details, as these had better be considered separately.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Secretary for Crown Lands, Wellington.

### No. 3.

Mr. R. PHARAZYN to the Hon. the DEFENCE MINISTER.

SIR,—

Confiscated Lands Office, Wellington, 5th July, 1870.

I have the honor to report that, though Major Kemp signed the deed by which he and his tribe gave up all their rights to any land in the West Coast District, yet he now claims the whole of the land between the Wairoa Stream and the Waitotara River, from the sea to a stream running a short distance within the bush and parallel to its margin.

In the block of land claimed by Major Kemp is included a considerable portion of the Railway Reserve and land alienated to the military settlers. Major Kemp gave me a long history of the transaction, (through Mr. Young, of the Native Office, who kindly interpreted for me,) from which I gather that Major Kemp regards his signature to the document above noted as being only a mode of acknowledging the receipt of a sum of money in payment of services rendered, and not as a conveyance of his property to the Government.

Major Kemp has promised to send me a condensed account of the transaction in writing, but it appears to me that the fact of his making the claim is of much more importance than his reasons for so doing.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Hon. the Defence Minister.

### No. 4.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wellington, 12th September, 1870.

Referring to my letter of 7th June, 1870, in which I recommended that Messrs. Wray and Williams should be employed to execute a trigonometrical survey of the West Coast District by contract, I have the honor to inform you that the proposals I then made have not been carried, owing, as I understand, to the Government having no funds at its disposal for the purpose.

As, however, a sum of money has lately been voted by the General Assembly for the management of the confiscated lands, that difficulty is removed, and I venture to suggest that the trigonometrical survey of that part of the West Coast between the Waitotara and Patea Rivers should be at once proceeded with, either by contract, or by a regularly organized survey staff being formed and placed under my control.

If this latter course is adopted, which I think would be, on the whole, the least expensive and most convenient, I recommend that Mr. G. W. Williams should be appointed Chief Surveyor, at a salary of £300 a year, and that I be empowered to expend the funds required for the work, the money being placed to my credit by way of an official advance to be accounted for.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Secretary for Crown Lands, Wellington.

### No. 5.

MEMORANDUM for the information of the Hon. the PREMIER.

*General Management of the West Coast Lands.*

THE Hon. Mr. McLean thinks it inadvisable to spend money in surveys till Native claims are settled, and these he considers will require peculiar management; and in the meantime Mr. Carrington has been appointed Chief Surveyor, partly under the Minister for Public Works and partly under myself.

It will be impossible for him to carry out my instructions relative to such surveys as might be undertaken at once for some time. The settlement of the following more important matters will therefore be still further delayed :—

1. General triangulation of the district.
2. Railway Reserve sections.  
Authorized to be let when surveyed under present Regulations. Tenders accepted in 1868 ignored, except so far as protecting improvements by valuation being added to rent.
3. University Reserve.  
10,000 acres laid off on map between the Whenuakura and Patea Rivers, two miles north of the Railway Reserve, being a rectangular block of which the boundary line between the Provinces of Wellington and Taranaki forms one side.
4. New Zealand Cross Endowment Reserve.  
The Hon. Mr. McLean verbally instructed me to have 2,500 acres laid off for this purpose, leaving me to fix the site, and stated in the House that the reserve had been made.
5. Land for Hawke's Bay Defence Force.  
The Government instructed me to have 5,000 acres of land reserved for men of the Hawke's Bay Defence Force who could not select their land in Hawke's Bay. I recommended that the land should be taken on the Taranaki side of the Waingongoro River, which was, I believe, approved. (Since decided against, and selection on Whenuakura Block proposed.)
6. Oika Ferry Reserve.  
Mr. Carrington instructed to survey.
7. Sites for church purposes at Carlyle.  
Described on plan of Carlyle by the Secretary for Crown Lands and myself. Six sections, of one-quarter acre each.
8. Site on Railway Reserve for Town Hall at Wairoa.  
To be let to trustees, at a nominal rent, for ten years, and granted under amended Regulations.

*Matters Involving Surveys that have been Settled.*

1. The 10-acre sections at Hawera and Manutahi.  
Railway line surveyed through these sections by Messrs. Wray and Williams, by contract. New Regulations framed, which, if passed, will enable settlers to buy these lots within one year at £2 per acre. Middlemas and Winchcombe informed accordingly.
2. Ferry Reserve at Carlyle.  
Surveyed by Messrs. Wray and Williams, and gazetted.
3. Bush Reserve for use of Settlers, in 10-acre sections, at Hawera.  
Laid off on plan, and gazetted. It is at the end of the Railway Reserve, and forms part of it.

*Miscellaneous.*

New Flax Regulations have been prepared. All applicants for flax leases have been told that they will have them so far as approved under amended Regulations (copy attached), and subject to Native claims.

Numerous applications for land have been received, applicants generally wanting to lease with a purchasing clause. I have referred them to the Regulations, and explained the difficulty there is in having the land surveyed and brought into the market, owing to the existence of Native claims.

Mr. J. Hirst, of Carlyle, applied for a lease of part of the Government reserve on the bank of the river, for the purpose of erecting a wharf, &c. I recommended an alteration of the Regulations affecting reserves (clause 27) to meet what was required; but, after much consideration, the Government decided that no change should be made. I am still of opinion that the Government should have more discretionary power in such matters, as the present state of the law tends to prevent improvements being made which would add much to public convenience. Monopoly might be prevented by the Government having the right to purchase on valuation.

I received a letter on the 10th instant, dated 10th October, in the form of a petition from Mr. Felix McGuire and fifty-seven Roman Catholics and others, complaining that the site set apart for a Roman Catholic Church at Carlyle is at an inconvenient distance, and praying for a part of the educational reserve to be granted for church and school purposes. As the site objected to is only a quarter of a mile from the centre of Carlyle, and as no particular sect has any claim to an educational reserve, I was unable to recommend that the prayer of the petitioners should be granted.

The Secretary for Crown Lands, through whose office everything is referred which I cannot dispose of alone, is now at Auckland, so that it will be some time before I can reply to what the Government will probably agree in considering a very unreasonable demand.

Tenders for the Survey Office and Court House at Carlyle were referred to Mr. Woodward and myself to report upon. The lowest was £1,060, and as this was so much in excess of Mr. Clayton's rough estimate (£600), and of the amount the Government were prepared to spend in erecting the buildings, we referred the plan back to Mr. Clayton, who has not yet had time to attend to the matter. Probably the lowest tender is not greatly in excess of what the contract price ought to be, and if the Government do not intend to have much surveying done, it would be better to put up a cheaper building rather than to devote more money to this object.

Crown grant forms will shortly be forwarded to Messrs. Wray and Williams, who have contracted to prepare them for the lands sold at Carlyle.

ROBERT PHARAZYN,  
Commissioner of Confiscated Lands.

Confiscated Lands Office, Wellington, 14th November, 1870.

## No. 6.

Mr. R. PHARAZYN to the CHIEF SURVEYOR, Taranaki.

SIR,—

Confiscated Lands Office, Wellington, 6th February, 1871.

As requested by you in your letter dated 26th January, 1871, I have the honor to furnish you with the following particulars relative to surveys now in progress:—

1. As the Confiscated Land Regulations do not make any allowance for roads through purchased lands, as in the case with land sold under the Regulations of this Province, it will be necessary in all cases to provide a right-of-way to every allotment. In doing this, you will be careful to pay due regard to the natural features of the country, remembering that for some time the settlers cannot afford to make roads, and must use such as exist naturally. In doing this, much must be left to the judgment of the surveyor actually employed in the field, who should have his attention directed to the importance of laying out fairly available lines of road, which should be, as far as possible, continuous with those already laid down, and communicate directly with the main line; though, at the same time, the convenient form of sections as regards fencing and water supply must not be lost sight of, as the object the Government have in view is not only the sale of the land, but the settlement of the country in a manner which shall involve the utmost economy of labour and capital.

2. As a general triangulation of the country cannot be undertaken at present, and as I understand that a minor triangulation is all that is immediately required, you will please to give the necessary instructions to have the system of minor triangulation, existing before the war, re-established, and continued from the Waitotara River to the Patea; in doing which, most of the data required to lay off the roads before mentioned ought to be obtained. To facilitate this being done, I have requested the Chief Surveyor of this Province to furnish me with a scheme of part of the triangulation near the Waitotara River (executed with much accuracy, as I am informed, by Mr. Porter), which I will forward to you.

3. As soon as the triangulation above mentioned is sufficiently complete, you will have the whole of the unappropriated land in the Okotuku Block, that is, all between the Wairoa military settlements, the sea, and the Whenuakura and Waitotara Rivers, laid off in blocks of 200 acres each, as nearly as may be, having regard to natural boundaries and convenience of surveys. These blocks should be rectangular in form, and have the usual proportion of two in depth to one of frontage to roads and valuable streams, lakes, &c.; and particular care must be taken that none of them trench upon any Native reserves, as to which any details not known to you may be obtained from Mr. Parris. It will also be necessary to lay off the flax land on the Wairoa and Waiaua Streams, of which leases have been promised to Messrs. Vincent and Jackson, and reasonable changes of boundaries required by whom, that do not involve a monopoly of water power, may be made at your discretion.

4. The land between the Whenuakura and Patea Rivers, being of better quality than that in the Okotuku Block, I wish to have surveyed into blocks of 100 acres each, taking care to leave 1,000 acres opposite Carlye for sub-division into suburban sections, as originally proposed by you.

Should the land between the Railway Reserve and the sea prove to be very inferior, that may be surveyed into 200-acre blocks, observing in all cases the precautions alluded to as to roads, Native reserves, and natural boundaries, that I have directed your attention to in the case of land near Wairoa.

I propose that the Hawke's Bay military settlers shall be allowed to select their land out of the Okotuku Block, so as not to give them the pick of the whole country, but fair average land, which would be equal in value, if not in quality, to any they were entitled to in Poverty Bay. As each man is entitled to 50 acres, or a multiple of that amount, I suppose the divisions can be laid down on paper, and marked off on the ground when selected. If this can be done without inconvenience, a considerable saving may be effected.

5. If possible, it would be better to begin laying off the sections for sale at the Patea end, so as to get land into the market which will sell readily when some 10,000 acres are surveyed. This would involve a little triangulation which would not be so immediately utilized; but then there are vague Native claims, reaching from the Waitotara River to the Wairoa Stream, which it is better not to come into collision with at present, and the land on both sides of the Whenuakura seems most in demand.

6. Care must be taken to note the quality of each section of land, as a guide to me in fixing the upset price. By taking some well-known block as a standard, it will be easy for the surveyor to make such descriptions reasonably definite.

7. With regard to the Railway Reserve, it will be only necessary at present to define accurately its inland and seaward limits, as I believe it is the intention of the Government to have a practicable line for a railway surveyed by an engineer, in which case it is very improbable that it will be carried through the whole of the reserve in question. If so, it would be unwise to tie up valuable land for years by letting it at a low rent, when it might be sold for a considerable sum, or otherwise disposed of.

Trusting that you will find these instructions sufficiently explicit,

I have &c.,

ROBERT PHARAZYN,

The Chief Surveyor, General Government  
Survey Office, Taranaki.

Commissioner of Confiscated Lands.

## No. 7.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 3rd April, 1871.

I have the honor to call your attention to the accompanying correspondence relative to cutting timber upon the Railway Reserve, near Hawera.

P. W. 71/284.  
March 2, 1871.

Gazette No. 50.  
March 25, 1871.

From your minute in Mr. Carrington's letter to the Minister for Public Works, number and date as per margin, it appears to have escaped your memory that the settlers whom it is proposed to treat as trespassers were authorized to cut timber upon the land in question in accordance with a notice published in the *New Zealand Gazette* of the 16th October, 1870, as is pointed out in Mr. Middlemas's letter, dated as per margin, which has been referred to me by Major Noake, the officer to whom it was addressed.

Under the circumstances, I trust the Government will not interfere with the Manutahi settlers, and that you will instruct the Commissioner of Crown Lands at Taranaki not to act in the district under my charge except through this office, as otherwise there will be a clash of authority, which will lead to much confusion and practical inconvenience.

C. L. 71/73.

The instructions of a later date, which Mr. Middlemas says in his second letter the Commissioner of Crown Lands assures him he has received, must have been given in some irregular manner, perhaps by a Provincial authority, as it is evident I cannot be held responsible for the proper administration of the confiscated lands in my district if action is taken within it by other officers without my knowledge.

I have, &c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

### No. 8.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 26th April, 1871.

Adverting to your minute of the 21st instant, on record C. L. 72-105, which is referred to me for a general report upon all the reserves in my district, I have the honor to inform you that, on inquiry, I find that, beyond the schedules of reserves already furnished, there is very little to report upon, and that the registers or copies of them are in your office.

I forwarded the schedules of the reserves to Mr. Carrington, who may be able to answer some of the questions therein, but they have not yet been returned.

The above remarks apply to the mode in which the reserves were originally made, and to any past dealings with them. Should you wish me to make any recommendations regarding them, I will of course do so to the best of my judgment; but I would suggest that the reserves in question should not be gazetted, and thus be placed in a position from which they could not be removed without much difficulty, till the surveys now in progress are completed; when all the Government wish to reserve permanently might either be gazetted as "Reserves for general purposes," or for particular ones as to which I could make specific proposals, after consultation with the surveyors, and seeing the land myself, where necessary.

With reference to section 136, applied for by Mr. Morley, which is not a reserve, as he supposes, I see no objection to its being allotted to the Wesleyans if it is still Government property.

I have, &c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

### No. 9.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 5th May, 1871.

I have the honor to inform you that, after consultation with the district surveyor, Mr. Williams, I have come to the conclusion that, all things considered, it would be advisable to sell that part of the Whenuakura Block seaward of the Railway Reserve, amounting to about 3,000 acres, (exclusive of the 1,000 acres opposite Carlyle, proposed to be reserved for suburban sections,) together with the unappropriated lands in the Patea District, as soon as the sectional surveys are finished.

Mr. Williams informs me that if he proceeds with this particular portion of the survey at once, and is assisted by Mr. Northcroft, when that gentleman has finished the work on which he is now engaged, enough will be done to enable me to fix the price of the various sections, and to gazette notice of sale by the middle of July.

I have therefore to request, in accordance with clause 3 of the "Regulations," that you will move the Government to signify its approval of my proposals, if you agree with them, in order that I may be able to give the necessary instructions to have them carried out with as little delay as possible.

I have, &c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

### No. 10.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 29th July, 1871.

I have the honor to acknowledge the receipt of your letter of 21st July, 1871, in reply to mine of the 28th of September, 1870, directing me to take action in the matter of the Railway Reserve, which at that time it seemed desirable to let.



Before acting upon your instructions, I think it my duty to call the attention of the Government to the fact that a period of nine months has allowed time for a considerable change to have occurred in the circumstances of the West Coast District, and in that of the Colony as a whole, which may render it advisable to reconsider the matter.

From what I can learn, the engineer's survey of the line of railway from Wanganui to Taranaki does not coincide with the Railway Reserve along its whole course, and consequently there is no occasion to keep all this land for the permanent way and deviations; and as there is now every probability that the railway will be actually commenced during the next year, it seems a pity to tie up this land for any length of time, as leasing it would do, when it might be sold at a price, the interest on which would amount to many times the annual rental, especially as, under the Regulations, no purchasing clause can be given. At any rate, whether the reserve is let or sold under a regulation framed to meet the altered circumstances of the case, I suggest that nothing should be done till the survey of the line of railway is completed.

I have, &c.,

The Secretary for Crown Lands, Wellington.

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

### No. 11.

MR. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 7th September, 1872.

In pursuance of what appears to be a convenient plan, I have the honor to report generally upon the working of this branch of the Confiscated Lands Department.

In my first report, dated 16th June, 1870, and on other occasions, I made certain recommendations, some of which I have since more particularly urged upon the attention of the Government in various letters and minutes, and most of which have been adopted, with, as I think, beneficial results.

The most important of these recommendations were, that a proper survey staff should be at once established; that a Survey Office should be built at Carlyle, in connection with the Court House and other Government Offices required there; and that my own office should be removed to Wanganui. Much delay took place before the Government saw its way to give effect to these proposals, and in the interim, little work of a practical character could be done, though several unsettled questions were disposed of and something like order and regularity introduced in the place of the very confused system of administration which had formerly prevailed in matters connected with the confiscated lands of this district. Some small—but, to the settlers, very necessary—surveys, were executed by contract at Hawera and elsewhere, and the preparation of the Carlyle Crown grants was also commenced under the same system, of which those of only the town lots sold are actually completed, the others having been delayed in consequence of errors of survey having been discovered, these errors being a necessary consequence of the, perhaps unavoidable, hurried and unscientific manner in which the land had been surveyed for sale in 1869.

During this period I was also able to give some assistance towards the settlement of various questions connected with the Waitotara and Patea Reinstatement Fund, in which local knowledge, both of the settlers and of their properties, were required; and in the preparation of Amended Flax Regulations, and other matters of general application. Generally, however, the work of the office consisted, to a great extent, in explaining to applicants for land, either verbally or by letter, what was the existing state of things, what were the nature of the Regulations, and how much had to be done before settlers could be located upon the fertile lands of the West Coast; an object which the Government were as anxious to see accomplished as the applicants themselves.

Steps were taken to put an end to this condition of abeyance towards the end of last year, and in January I was authorized to organize a small survey staff, consisting of two field surveyors, Mr. G. W. Williams (of the firm of Wray and Williams, formerly contract surveyors in the Patea district) and Mr. Northcroft, who had had previous experience in surveying the Taranaki military settlers' allotments. Mr. Carrington was appointed Acting Chief Surveyor, but his office has been little more than nominal, as he has been almost exclusively engaged in the Public Works Department, though a moiety of his salary is charged to this. I paid a visit to my district, and met Mr. Carrington by appointment, at Carlyle, in the middle of January last, and arranged with him for the conduct of survey business in a manner which has rendered his somewhat anomalous position as little inconvenient as possible. In practice, though most of my correspondence is addressed to him, Mr. Williams takes his instructions direct from myself, and, in conjunction with Mr. Northcroft (who acts as his junior), answers all letters, prepares estimates and returns, and performs all other office work required in his department; while Mr. Marchant, the Assistant Inspector of Surveys, tests the accuracy of the work done, and decides questions of a purely professional character, which, in other offices, are usually referred to the Chief Surveyor.

As the surveyors were not put on pay till the summer was far advanced, the progress of the surveys has been much impeded by the weather, which, during this winter, has been unusually severe. However, in spite of so serious a drawback, the whole of the country seaward of Wairoa, and between the Waitotara and Patea Rivers, has been triangulated and connected with the provincial survey of the Waitotara Block. In addition to this, several road lines have been cut and traversed, as also the boundary line between the Provinces of Wellington and Taranaki, the University Reserve of 10,000 acres, Ferry Reserves, and other sections on the Waitotara and Whenuakura Rivers, laid off, rendering it now easy to complete the sectional surveys with perfect accuracy and at a moderate cost.

On the other side of the Patea River a considerable number of unalienated sections, scattered amongst the military settlers' selections, have been surveyed. These sections I have priced and scheduled for gazetting, together with the unsold sections of Carlyle, proposing to sell the whole by auction on the 26th October next.

The Survey Staff having been established, and all matters requiring frequent consultation with the Secretary for Crown Lands disposed of, with the sanction of that officer I removed my office to Wanganui in April last. As I anticipated, the work of the office was greatly increased in consequence. Intending settlers can now obtain all the information they want, and many questions are settled at once which formerly took much tedious correspondence to explain, and which could not be explained by persons more accustomed to the plough than the pen, and who were rather irritated than enlightened by official letters in reply to theirs.

It may perhaps appear that, whatever improvements have been effected in the mode of conducting the business of my district, the objects attained have not been commensurate with the expenditure involved. I submit, however, that in the management of any business, whether public or private, much money must be expended for which no immediate return can be looked for. In this particular case, though I could undoubtedly have effected a considerable saving both of time and money had I been free to act as I chose, yet, on the whole, the expenditure incurred in administering the confiscated lands may fairly be regarded as a judicious investment of capital. The sale of Carlyle, in May, 1870, realized over £6,200, and the next sale will probably yield a considerable sum; while in the course of the year about £1,000 will be received for the 10-acre sections of Hawera and Manutahi, which are now all occupied and improved, while the whole of the land now trigonometrically surveyed may be disposed of during the summer, if necessary. I say this, of course, on the assumption that the present rate of expenditure is continued, and that any Native claims which may affect the Whenuakura Block are disposed of; while, should it be possible for the Government to carry out the arrangement discussed with the Natives by the Hon. Mr. Fox, in 1870, by which the whole of the confiscated lands would be left free to be dealt with, a much larger quantity of land might be brought into the market, and the settlement of the country greatly facilitated. In this case it might be advisable to employ another field surveyor, and in any event I strongly recommend the appointment of a draughtsman, whose salary would be more than recouped to the Government by the fees for Crown grants which he could prepare. The Carlyle Survey Office is now finished, and not to have it occupied by a regular draughtsman is to throw away some of the accommodation provided, as well as to occupy the time of the more highly-paid field surveyors less advantageously than is necessary. Besides this, a division of labour is always economical where each person employed is fully occupied, as would be the case in the Survey Department were this proposal, which I have before made, carried out.

See Memo. No. 2, by Mr. Fox, dated Feb. 1, 1870, and printed in the Appendix to Journals for that year, A. No. 4, page 6.

The estimates which I have sent in are based upon facts supplied by actual experience, and I see no way of materially reducing the expenditure required for any particular item, without sacrificing real economy to an appearance of it. A department, like a machine, must have each part properly proportioned, or there is a waste of power. If this principle is adhered to, the confiscated lands can be administered cheaply and efficiently, and these objects I have constantly kept in view in any recommendations I have made. Things have now been put into proper train for carrying out the work of this branch of the department easily and well. Improvements might still be made, chiefly in the direction of giving me more power to decide particular questions in accordance with general rules, instead of referring each to the head office. The mode of checking the expenditure might also be simplified, as, on the plan at present adopted, exact accounts cannot be kept in this office, as I have before explained. It would also, I think, be advisable that I should be informed when my opinion is overruled in matters connected with the lands in my district. I mention this because I notice in the *New Zealand Gazette* No. 46, of the 19th April, 1871, that all the land set apart for reserves has been gazetted, though, at the time I sent in the schedule, I protested against this being done till the surveys were further advanced, as it seemed probable that advantageous exchanges might be made. I am still of that opinion, and I also believe that errors of survey and description exist which it will now be difficult to rectify.

In the case of the Railway Reserve, the opposite course was pursued with evident advantage. Nearly a year ago I had proposed that the old leases should be sold by auction. A short time since I received instructions to advertize them accordingly. Under the altered circumstances of the country, I advised that this should not be done until it was seen where the proposed line of railway was likely to go.

My advice was taken, and land was prevented from being locked up for years, which may realize a large sum if it is deemed expedient to sell it.

I trust that, on the whole, the Government will be satisfied with the manner in which the business of this branch of the department now in my charge has been conducted. However this may be, I can safely say that each officer under my control has exerted himself to the utmost, and that if any mistakes of administration have been made, they are not responsible for them.

I have, &c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

## No. 12.

Mr. R. PHARAZYN to the Hon. the NATIVE MINISTER.

SIR,—

Confiscated Lands Office, Wanganui, 30th November, 1871.

As directed in your letter of November 30th, 1871, I have the honor to report on the extent and position of the several reserves which have been laid off for the Natives in the Waitotara and Patea Districts.

The appended schedule was made up from the standard maps and a tracing furnished by Mr. Parris, and I observe that it differs slightly from that given by the Commissioner of Native Reserves in his report noted in the margin.

The acreages given are merely approximate, as only such of the boundaries of the reserves were

marked off on the ground as were required to define the limits of the land allotted to military settlers. It is only during the present year that a proper trigonometrical system of survey has been undertaken, and that is not yet extended beyond the Patea River, so that at present, though great care is taken not to trench upon any of the reserves in question, it is impossible to say what is the actual acreage of land included within their limits.

I need hardly say that no attempt has been made to subdivide any of the reserves in my district for the purpose of satisfying individual claims, though indirectly the survey now in progress will greatly facilitate this operation.

The maps in my office, which have been copied from those in the Crown Lands Office, will afford further information if required, and others can be prepared in the Survey Office, Carlyle, if necessary; though, as there is no regular draughtsman attached to the department, I must point out that this will somewhat interfere with the field work.

I have, &c.,

ROBERT PHARAZYN,

The Hon. the Native Minister, Wellington.

Commissioner of Confiscated Lands.

### No. 13.

Mr. R. PHARAZYN to the Hon. the NATIVE MINISTER.

SIR,—

Confiscated Lands Office, Wanganui, 1st December, 1871.

I have the honor to report upon the application made by two Natives, Nahera Hautukua and Kaaro Hinehau, in their letter of 30th November, 1871, referred to me this day, that the question is one of those to which I have adverted in my report upon the Native reserves in the Waitotara District, dated 30th November, 1871. The settlement of the question depends partly upon the completion of the survey, (which, with regard to this particular block of land, is in a very advanced state,) but chiefly upon the view taken by the Government of the mode in which effect ought to be given to the judgment of the Compensation Court. As I understand the matter, the Government can allocate any portion of the block they think fit to such Natives as have a claim to it; while it should seem that, as a question of strict law, all the Natives to whom the land was awarded have forfeited their rights, as the judgment states, "that the tribal estate must be regarded as held by the actual residents, whose dispossession, by whatever means effected, will be a dispossession of the whole tribe." (See *New Zealand Gazette* of 20th April, 1867, page 189 of volume for 1867; also, my report to the Hon. the Premier, on N.S. 69-359, referring to the case of Haata Rio and others.) It would, however, be extremely inexpedient, if not unjust, to treat the subject as one of mere technical law, and I strongly recommend that the Natives who are fairly entitled to the land awarded to them should have it laid off as soon as practicable, or be compensated for it.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Hon. the Native Minister, Wellington.

### No. 14.

Mr. R. PHARAZYN to the Hon. the DEFENCE MINISTER.

SIR,—

Confiscated Lands Office, Wellington, 6th July, 1872.

I have the honor to inform you that, in accordance with your instructions, I asked the Hon. J. C. Richmond for information relative to the claim made by Major Kemp to land near Wairoa, West Coast District, on which I reported to you yesterday. That gentleman informs me that, beyond the agreement with Major Kemp and other Wanganui Natives, contained in the deed of the 9th of November, 1867 (N.S. 67-1715), no recognition of Major Kemp's claim to the land in question was ever made by the Government, so far as he is aware. The Hon. J. C. Richmond is however of opinion that Major Kemp should not be debarred, on any technical ground, from establishing any rights he may have, as he had always expressed his own willingness, when in office, to allow Major Kemp a re-hearing.

The Hon. J. C. Richmond suggests that a Special Commission might be issued to one of the Native Lands Court Judges, empowering him to adjudicate upon this particular case; as, whether Major Kemp is really entitled to the land or not, he certainly believes he is, and any misunderstanding on a matter of this sort should be cleared up as soon as possible.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Hon. the Defence Minister, Wellington.

### No. 15.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

SIR,—

Confiscated Lands Office, Wanganui, 9th August, 1872.

Nearly a year has elapsed since the date of my last general report, during which period some improvements have been made in the organization of this branch of your department, with much consequent progress in the survey and other work required before the lands in my charge can be occupied.

Up to this date, though the expenditure has been heavy, only a portion of it has been immediately reproductive, as, with the exception of the scattered sections in the Patea District sold in October last, most of it has been absorbed by what may be called the debts and liabilities of the Government in this district.

Of these, the greater portion were represented by the Compensation Court awards to Natives, and the land due to the Hawke's Bay Defence Force and military settlers. I have frequently pointed out the serious loss and inconvenience caused by leaving these two questions unsettled; but it was not till the end of last year that the Government saw its way to deal with them. There can be no doubt, however, that a very large saving has been effected by the surveys having been brought up to such a state as to enable the Native Commissioner, Mr. Worgan, to allocate floating Native claims upon the map instead of on the ground. In a similar manner the Chief District Surveyor, Mr. Williams, furnished a selection map of the 2,500 acres of land required for the Hawke's Bay men, within six weeks after receiving his instructions. I am now daily expecting a similar plan of the Whenuakura Block, 8,000 acres, which can then be gazetted for sale.

The following figures will give some idea of the amount of work done by the survey staff since its establishment:—

*Amount of Work from 1st January, 1871, to 30th June, 1871.*

Marking out boundaries of 60 isolated sections since offered for sale; aggregating 3,200 acres.

In connection with the above, the exterior boundaries of 7,000 acres of the Railway Reserve were marked off.

10 miles road and river traverse, Waitotara.

About 45 miles of road, boundary and traverse lines.

*Amount of Work for Financial Year ending 30th June, 1872.*

Traverse of Patea River and neighbourhood, 10 miles.

Traverse of Whenuakura, 17 miles.

Traverse of Waitotara, 5 miles.

Boundaries and roads through Okotuku Block, containing 17,500 acres.

Amount of above Block subdivided into sections averaging about 70 acres each, 4,500 acres.

Extent of triangulation, 64,000 acres.

Exclusive of the above, fourteen isolated sections have been surveyed, and the Whenuakura Block traversed and partially subdivided.

The appointment of Mr. Wray, as draughtsman, at a salary of £100 a year, in addition to what he receives as Government Storekeeper, has proved both an economical and satisfactory arrangement. Had it been made nearly a year previously, as I proposed, it would have been still more so. As it is, so great were the arrears of drafting and other Survey Office work, that even with Mr. Wray's assistance, Mr. Williams has been more employed in the office than in the field. So far, too, it has been impossible to prepare any Crown grants in the office, though the contract for those of the Carlyle suburban land, sold in May, 1870, is nearly completed, as that for Carlyle Town was some time since. In the latter case, complaints have been made by the Commissioner of Crown Lands, Taranaki, of the quality of the grants, though, I think, without much reason, considering the price paid; but if these complaints are well founded, it is another proof that the preparation of Crown grants by contract is a bad system. My own opinion is, that so important a document as a conveyance from the Crown should be prepared by an officer of the Government in such a manner as to render the surveyor who actually marked off the land responsible for the correctness of the plan, and the Commissioner himself responsible for the agreement of the grant with the land sold. I have every reason to believe that the surveys now in progress under the control of Mr. Williams are correct,—that the definition of sections upon maps and Crown grants will present no difficulty whatever, and I am therefore the more anxious that no weak link should be introduced by employing contractors, who may be incompetent or careless, to finish work so carefully begun.

The routine work of my own office is so steadily increasing that I must again urge the claims of Mr. Lomax to an increase of salary, more especially as he has performed much extra clerical work required by the Native Commissioner, Mr. Worgan, as well as that required by myself while acting as Special Commissioner in the cases of Major Kemp, Mr. A. Peyman, and Mr. James Moore. I am also still of opinion that the Chief District Surveyor should also be more highly paid, nor do I think that the argument used by the Hon. the Native Minister, that as Mr. Percy Smith only receives £300 per annum, therefore Mr. Williams ought to be content with the same amount, is at all conclusive, for the simple reason that Mr. Williams occupies an unusually responsible position, and one involving much greater labour than commonly falls to the lot of district surveyors. While on this subject, I may also remark that, from what Mr. Williams tells me, I am inclined to think that if the surveys are to be continued on the present scale, as I strongly recommend, it would be more economical to increase the salaries of all the surveyors now employed, and to put Mr. Carrington, jun., and Mr. Rawson on pay as part of the regular staff, than to engage any temporary assistance, the experiment in Mr. Ford's case not having proved a success. Owing to the configuration of the country, the imperfect nature of the old surveys adjoining the present ones, and other local circumstances, material and social, a surveyor new to the work, however professionally able, must waste time and money. In addition to this, the chances are that the best men are already engaged by other departments or by the Provincial Governments. It is, in short, one of those cases in which it is better to choose the known than the unknown, even if the former is not so good as the latter might be.

My own work is not of a nature to admit of a quantitative estimate, but I believe it has been as useful to the Government and the country as circumstances would admit of. In addition to my ordinary duties, I have done my utmost to assist Mr. Worgan in settling the Native questions affecting the confiscated lands. As stated by the Native Commissioner, in his report of marginal date, the scheme of selection and locality of Compensation Court awards was carefully debated between us, and

mutually agreed upon, while survey questions were similarly discussed and decided. The result is, so far, eminently satisfactory. Definite rights to land have been fixed in the most economical manner possible, and in situations least likely to interfere either with the occupation or peace of the district. A large proportion of the land thus allocated to the Natives has been purchased by the Government, and vague but troublesome claims have been got rid of. I have no knowledge whatever of the purely Native part of these transactions, but assuming that branch of the business to have been properly managed, as no doubt it was, the settlement of that one question fully justifies the expenditure incurred in this department.

I trust that the Government will allow the remainder of these lands to be systematically surveyed and sold. How this might be best effected, it is for the Government to determine. I have, as you are aware, placed my own opinions on record as to the best mode of insuring their profitable occupation. I have also called the attention of the Government to the fact that the more local the management of these lands, the greater will be the real economy of administration. So far as I am personally concerned, I am not afraid of responsibility if accompanied by power. So far as the public are concerned, they would rather see a few mistakes made than find weeks and months elapse while some simple question is going through the offices in Wellington, and perhaps getting buried in the ever-increasing heap of current work. At the same time, the more full adoption of such a course, which you have already pursued to some extent, would relieve you of a considerable amount of work, without in any way lessening the advantage of having every transaction connected with land recorded in your office.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands,  
West Coast District.

The Secretary for Crown Lands, Wellington.

### No. 16.

MEMORANDUM for the Hon. the NATIVE MINISTER.

(No. 27-72.)

As I understand from Mr. Worgan, the Native Commissioner, that the practical result of his efforts will be the extinguishment of Native titles in my district as far as possible, it will be necessary that some arrangement should be made by which any land acquired by the Native Commissioner would be placed under my control, as it is obvious that its administration should centre in one head, with a view to economy and systematic settlement.

I therefore suggest that Mr. Worgan should report to me from time to time what land he has acquired for the Government or allotted to particular Natives; and that, if the former land does not necessarily come under the Confiscated Land Regulations, that steps should be taken, either by the operation of an Order in Council or otherwise, to bring it within that category.

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

Wanganui, 24th January, 1872.

### No. 17.

MR. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 30-72.)

SIR,—

Confiscated Lands Office, Wanganui, 31st January, 1872.

I have the honor to forward the attached copy of a memorandum from the Hon. the Defence Minister, instructing me to have the land described therein surveyed for the Hawke's Bay Defence Force and Military Settlers, and to inform you that I have taken the necessary steps to have the survey in question executed immediately.

The whole of the records in the Defence Office relating to this subject have been referred to me, and from them I find that only about 2,500 acres is likely to be selected.

Although the regular and proper course would have been for the Defence Office to have instructed me through you to provide a certain number of sections for the satisfaction of certain specified claims, this work has been done in my office with the view of preventing further delay in the settlement of the question, and, with your sanction, I propose to have as many sections laid off on a selection map as I think will be required, and then to transmit this to the Defence Office, together with a schedule of the names of the persons whose claims appear from the records to have been admitted by the Government, leaving it to that office to make arrangements for the actual selection of the land. When this is done, a list of names of the selectors would, I presume, be sent to me, in order to the preparation of Crown grants.

In the meantime, I append a copy of the list of names on which my instructions for survey have been based, in case any further action is required.

I have &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Secretary for Crown Lands, Wellington.

## REPORTS ON THE

## No. 18.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 58-72.)

SIR,—

Confiscated Lands Office, Wanganui, 21st February, 1872.

Since the appointment of Mr. Worgan as Native Commissioner, the services of a draftsman at the Patea Survey Office are more than ever required, both to facilitate the settlement of Native claims, and the getting of land into the market in the most speedy and economical manner.

I have therefore the honor to request that Captain Wray's offer (made through Mr. Williams, a copy of whose letter I enclose) be accepted, and that he be paid at the rate of £100 a year as draftsman, in addition to his present salary. A similar proposal was made to Mr. Cooper on the 3rd June last, in reply to a telegram from him; but as certain contemplated work was not carried out, it was found possible to do without a regular draftsman up to this time, and the matter remained in abeyance, though I ascertained that Colonel Gorton—in whose department Captain Wray is employed as sub-storekeeper at Patea—had no objection to the appointment being made.

Captain Wray may be thoroughly depended upon to carry out anything he undertakes; and as a judicious combination of offices is in accord with the policy of the Government, I trust that the proposal, which I make in conjunction with the Native Commissioner, Mr. Worgan, will meet with its approval.

I have, &amp;c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

## No. 19.

Mr. R. PHARAZYN to the HON. the NATIVE MINISTER.

(No. 67-72.)

SIR,—

Confiscated Lands Office, Wanganui, 29th February, 1872.

In accordance with instructions contained in your memorandum of marginal number and date (No. 966, New Plymouth, 23rd February, 1872), I have the honor to inform you that the Hawera settlers were originally allowed to occupy the ten-acre sections under an arrangement made by the Hon. Mr. Fox, "on a lease for seven years with a right of purchase or valuation during or at the end of the term," at an annual rental of 1s. per acre.

The assertion that Mr. Fox's "promise" has been "cancelled" by the *Gazette* notice is incorrect, for the simple reason that no such promise was ever made.

On the 5th of May, 1870, soon after my appointment as Commissioner, I attended a meeting of the Hawera settlers, at which an unanimous opinion was expressed that it was unfair to the occupants to leave the price of their sections to be fixed by the Government at a time when they might be greatly increased in value. I agreed with them, and promised to endeavour to obtain for them the right to purchase at £2 per acre.

On my return to Wellington, I saw the Secretary for Crown Lands (Mr. Domett) on the subject. After a good deal of discussion, it was finally decided to allow the settlers on the ten-acre lots at Hawera and Manutahi to purchase the whole of their allotments at £2 per acre, provided they exercised this right within twelve months from the date at which a new regulation, under which this privilege could be granted, was gazetted. Failing the exercise of this right, Mr. Fox's original arrangement was to hold good.

A letter to the above effect was addressed to the officers in command at the two posts above mentioned, with the request that its contents should be communicated to the persons interested. On the 1st June, 1871, the new regulation alluded to was gazetted, and during the last few months several sections have been purchased under it, occupation and improvement being in all cases insisted upon.

It will be seen from the above that the Hawera settlers have really nothing to complain of, as those who prefer to abide by the original agreement can do so, while those who wish to purchase have the option of doing this at a price of £2 per acre.

I have, &amp;c.,

ROBERT PHARAZYN,

The Hon. the Native Minister, Wellington.

Commissioner of Confiscated Lands.

## No. 20.

Mr. R. PHARAZYN to the HON. the MINISTER for PUBLIC WORKS.

(No. 81-72.)

SIR,—

Confiscated Lands Office, Wanganui, 9th March, 1872.

As requested by the Under Secretary for Public Works, in his telegram of the 7th March, 1872, I have the honor to report as follows, on the suitability of the Railway Reserve for settlement:—

As I have already stated in my telegram of the 8th instant, in reply to that above noted, the Railway Reserve consists of a narrow strip of country having an average breadth of half a mile and a length of forty, its furthest point being about sixty miles from Wanganui. Its acreage is about 12,000, and of this 10,000 consists of excellent level or rolling land fit for the plough. The soil is of excellent quality, rather light and loamy, and free from timber, of which, however, there is plenty in the neighbourhood. The original vegetation consists of fern and tutu, which is being rapidly displaced by clover. I should fix the upset price of this land at £2 per acre—the highest allowed by the regulations—were it for sale, and it would probably sell for more, in parts at any rate.

So far as situation and quality of soil are concerned, the Railway Reserve is admirably adapted for large farms of 500 acres, the only drawback being, that farms of that area would be very long in proportion to their width, as will be seen by the accompanying tracing. As nearly the whole of the reserve is bounded by private properties, mostly occupied by small farmers, no alteration of form can be made. On the other hand, a greater frontage to the main road is thus obtained; and from the lay of the country a greater number of streams are cut across, and a better supply of water would thus be afforded to each farm.

The proposed railway to New Plymouth runs through or near the reserve, and it would be as well if its course and that of the main road were marked upon the tracing before it is forwarded to the Agent-General.

By clause 26 of the Confiscated Land Regulations, the Government is empowered to let all or any part of the reserve in question for a period not exceeding ten years, so that a fresh Regulation would have to be issued by Order in Council if it is otherwise dealt with. My own idea is, that very liberal terms should be offered to persons who would undertake to expend a certain amount of capital upon the land, the small-farm element being rather in excess in this district and capital deficient.

In view of the land being required for some such purpose, I recommended delay when, some months ago, the Secretary for Crown Lands, Mr. Domett, instructed me to advertise for tenders for lease. The result was that the land was left free to be dealt with, and there is now nothing to prevent my having some twenty farms laid off within a month after receiving instructions.

I may mention that in 1868 tenders were called for and accepted for the lease of the various blocks on the plan. The outbreak of the war, however, prevented the actual issue of the leases, and no rent having been paid on the one side or demanded by the other, the land reverted to its original position. In some cases, however, persons whose tenders were accepted began to improve and occupy their sections. They did this, however, at their own risk and entirely without the sanction of the Government, and I do not think that such unauthorized occupation of Government land should be allowed to interfere with any scheme of settlement that the Government may have in contemplation. At the most, all that they could claim, as a matter of *grace* and not of right, would be the difference between the value of their improvements and the rent which they would have been called upon to pay had their leases been granted. With this exception, the Railway Reserve is perfectly free from all complications, either European or Native, and I cannot but think that it presents a most favourable field for the Government to try an experiment of "capitalist settlement" in, which, properly conducted, would be equally advantageous to all persons immediately concerned and to the district in which they would be located.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Hon. the Minister for Public Works, Wellington.

## No. 21.

Mr. R. PHARAZYN to the Hon. the DEFENCE MINISTER.

(No. 88-72.)

SIR,—

Confiscated Lands Office, Wanganui, 12th March, 1872.

In accordance with instructions contained in a memorandum from the Hon. the Native Minister of 17th January, 1872, I have the honor to report that the land required for the officers and men of the Hawke's Bay Defence Force and Military Settlers has been surveyed sufficiently to enable me to forward the accompanying selection tracing.

I also enclose a copy of the District Surveyor's letter to me on the subject.

From this it will be seen that every care has been taken to exclude worthless land, while the tracing will show that the proximity of the sections to the main line of road and to the Railway Reserve renders them at least as valuable as any to which the selectors were originally entitled.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Hon. the Defence Minister, Wellington.

## No. 22.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 100-72.)

SIR,—

Confiscated Lands Office, Wanganui, 2nd April, 1872.

I have the honor to call your attention to the fact that Mr. Carrington's salary is now paid exclusively out of funds appropriated to the Public Works Department, while the vote which appears on the Estimates as the salary of the "Chief Surveyor" is applied to the purpose of paying Mr. Worgan, the Native Commissioner. Though, for the convenience of the Treasury, I was requested by Mr. Gill, Chief Clerk, Native Office, to certify to Mr. Worgan's Monthly Abstract as if he were Chief Surveyor, yet he has not even the nominal connection with the survey staff that Mr. Carrington had, although as Native Commissioner he has every assistance that this office can afford him, the surveyors being placed at his disposal when required by him, in accordance with his memorandum of the 23rd of January, 1872, approved by the Hon. the Native Minister. At the same time, it appears that Mr. Carrington has only been informed in an irregular manner by the Native Minister that these changes have been made, and the consequence is that Mr. Williams, the really responsible officer in charge of the surveys, is placed in a position which is both unsatisfactory to himself and likely to hinder the progress of the work in which he is engaged.



I have delayed bringing this matter before you till Mr. Marchant's return, as he will be able to give you any further information required, and I think will agree with me that some action should be taken upon it.

What I recommend is, that you should inform Mr. Carrington, through me, that his time being fully occupied as Engineer in charge of Public Works, the Government has decided to abolish the office of Chief Surveyor and to leave the surveys entirely under the control of Mr. Williams. At the same time, I think Mr. Williams should be formally appointed by letter and *Gazette* notice to the office of District Surveyor in charge of West Coast.

Although the change proposed does not necessarily imply increase of salary, yet I think Mr. Williams' salary ought to be increased from £300 to £350 a year, with the ordinary field allowance drawn by Mr. Heale's staff. I have discussed this question with Mr. Marchant, who agrees with me that Mr. Williams is a most efficient and zealous officer, and that it is false economy to make no difference between men who do all they can, and do it well, and men who do as little as possible, and that little badly.

I have, &c.

The Secretary for Crown Lands, Wellington.

ROBERT PHARAZYN,  
Commissioner of Confiscated Lands.

### No. 23.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 102-72.)

SIR,—

Confiscated Lands Office, Wanganui, 2nd April, 1872.

As it appears from the instructions I lately received from the Minister for Public Works, to report upon the availability of the Railway Reserve for Immigration settlement, that the Government contemplate settling the confiscated lands upon some more scientific system than is possible under the "Regulations," I think it my duty to point out that, if any change is made, no time should be lost in making it. I gather from the Native Commissioner, Mr. Worgan, that the Hon. the Native Minister wishes to have all lands put into the market as soon as they are freed from Native claims. So far as regards the Whenuakura Block, this has been already effected, and my present instructions authorize me to have the whole of the block (some 8,000 acres), surveyed, and gazetted for sale as soon as possible. In my first report (No. 44-70, 6th June, 1870), and on various other occasions, I recommended that some mode of disposing of confiscated lands more likely than mere sale to insure actual occupation should be adopted. The Government and the Secretary for Crown Lands, Mr. Domett, were, however, so thoroughly opposed to my views that it was useless for me to take any further action. I have therefore confined myself to carrying out the Regulations, with such modification, tending to encourage settlement, as I have been permitted to make in particular cases.

Now, however, such important changes have taken place in the general policy of the country that the Government may be disposed to reconsider the question.

In my opinion, the system of selling lands on deferred payments might be adopted with great advantage. The legal and official machinery for enabling this to be done could be easily provided without additional expense being incurred, by adapting part of "The Wellington Special Settlements Act, 1871," to the circumstances of the case, and giving me suitable instructions.

As an additional reason why this matter should engage the attention of the Government, I may mention that the Provincial Government is bringing pressure to bear upon Ministers with the object of having the confiscated lands placed under Provincial control, ostensibly in order to settle them more rapidly than at present. This is a political question, the decision of which rests with the Government and the Legislature; but if it is deemed undesirable to make any change of this sort, then care should be taken to remove all ground for the complaint that the confiscated lands are dealt with in a manner opposed to the best interests of the country. My own opinion is that, looking at the subject as one of policy and of mere business, the present mode of carrying out the details of administration with regard to these lands may be made to work thoroughly well, and that any change in the direction indicated would be both mischievous and unpopular. At the same time, it is evident that the reasons which have lately induced the Provincial Government to alter its mode of disposing of the waste lands apply equally to confiscated lands, and that the experience of one Government cannot be ignored by another without injury to the public. At any rate, the question what is the best possible mode of populating what is left of the West Coast confiscated lands should be decided upon its merits, and not by the accidental circumstance that the Provincial Government has taken the first steps in advance.

I have, &c.,

The Secretary for Crown Lands, Wellington.

ROBERT PHARAZYN,  
Commissioner of Confiscated Lands.

### No. 24.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 169-72.)

SIR,—

Confiscated Lands Office, Wanganui, 29th May, 1872.

As requested by you during the conversation we had relative to the administration of the West Coast confiscated lands and the utility of my office, I have the honor to report as follows:—

First, as to administration.—That must rest either in the hands of the General Government or of the two Provinces of Wellington and Taranaki. This is a question involving political exigencies into which I shall not enter, further than to express my opinion that the General Government might make as good use of these lands as the present Provincial Government of Wellington, and could hardly make a worse use of them any Taranaki Government is likely to do.



Secondly, as to the utility of my office.—The enclosed statement will show that at the very lowest estimate the General Government have on the West Coast an estate of 200,000 acres, which may be indefinitely increased by purchases which Mr. Worgan and Mr. Parris are authorized to make. The same reasons which two years ago rendered it necessary to employ some one to manage it locally,\* still exist, but with increasing force, as the Native claims which have hitherto so hampered all my proceedings are being rapidly extinguished. At the same time the surveys have approached a stage at which they will become reproductive, and a host of small but, to the persons affected by them, important questions, are constantly being settled in consequence. In short, if this office is abolished, the old state of confusion will again occur; what is done will not be done either well or quickly, and much of what has been done will be wasted.

In my opinion, the true way to effect a saving is to give me larger powers than I have at present, to settle each question as it arises. To save the salaries of myself and clerk, and other contingent expenses connected with this office, amounting in the whole to less than £550 per annum, is very false economy unless it can be shown that what is done in this office can be better done elsewhere. While saying this, I am fully aware that very much more might be done with the lands under my charge than has been done, but for this I am not responsible, as will be proved by reference to my reports, &c., noted in the margin, and by the whole course of my correspondence with the Government. Looking at the subject as impartially as I can, I fail to see that any advantage would arise from making a change in the management of the confiscated lands of this district, unless it be in the direction indicated in my letter of the 24th of January, 1872, and fully discussed with the Secretary for Crown Lands, who is in possession of my ideas on the whole land question.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

P.S.—Most of my minutes are in Crown Lands Office Records.—R. P.

*Memorandum on Area of the Confiscated Lands, West Coast District.*

	Acres.
Between Waitotara and Wairoa Streams, seaward of military settlers' land, surveyed ready for sectional survey. Mr. Worgan proposes to satisfy floating Native claims out of this if necessary	9,000
Between Wairoa Stream and the Whenuakura. (Of this 2,500 is surveyed for Hawke's Bay military settlers; this was selected at my office on 1st May.)	8,000
Whenuakura Block, in course of survey and partly divided into sections	8,000
Railway Reserve, kept for Immigration purposes	12,000
By scaling new map, there is in the Province of Wellington, inland of military settlements, bush land	35,000
Ditto, Province of Taranaki to the Waingongoro River, bush chiefly	140,000
Total	212,000

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

Confiscated Lands Office, Wanganui,  
28th May, 1872.

No. 25.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 193-72.)

SIR,—

Confiscated Lands Office, Wanganui, 8th June, 1872.

I have had an application from a Mr. Wells, a settler at Patea, for "protection" in the event of his discovering coal in that district; and he also wishes to know if the Government is prepared to offer a "bonus" for any such discovery. I informed Mr. Wells that I have no power under the regulations to grant the protection asked for, and I am not aware that any bonus can be claimed, but that I would refer the matter to the Government. From the geological formation of the district, there is every probability that coal exists in it, and I have reason to believe that a large quantity of brown coal or lignite has actually been found by Mr. Wells, or persons with whom he is associated.

Under these circumstances I would suggest that I be empowered to promise Mr. Wells a right of purchase (on terms similar to the provisions contained in clause 23 of the Regulations) over 100 acres of land, if within twelve months from the date at which he claims protection on the score of having discovered coal or any similar deposit, he produces not less than 100 tons of marketable fuel.

In view of the railway which is likely to be constructed between New Plymouth and Wanganui, and of the whole question connected with the Immigration and Public Works policy, the subject is one which is well worthy the consideration of the Government.

I have, &c.,

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

The Secretary for Crown Lands, Wellington.

\* See Mr. Fox's memorandum for the Colonial Secretary, 6th April, 1870, offering me the appointment of Commissioner of Confiscated Lands.—R. PHARAZYN.

## REPORTS ON THE

## No. 26.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 225-72.)

SIR,—

Confiscated Lands Office, Wanganui, 13th July, 1872.

I have the honor to forward a copy of a memorial from the Manutahi settlers requesting that an extension of time may be granted to them for the purchase of their ten-acre sections at £2 per acre. I strongly recommend that this request be acceded to.

The ten-acre settlements at Hawera and Manutahi were originally established by the Hon. Mr. Fox. To get over the difficulty of selling any part of the Railway Reserve, caused by clause 26 of the old Regulations, clause 37 of the amended Regulations of June 1st, 1871, was framed. Under this clause most of the Hawera sections have been sold within the period of one year, which I had recommended should be allowed, and which was approved by the Colonial Secretary.

Owing to various causes, most of the Manutahi sections are still held on lease with a right of purchase during the period of seven years, at a price to be fixed by the Government. What I now want is the authority of the Colonial Secretary to sell these sections during the ensuing six months at £2 per acre.

I have, &amp;c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

## No. 27.

Mr. R. PHARAZYN to the SECRETARY for CROWN LANDS.

(No. 264-72.)

SIR,—

Confiscated Lands Office, Wanganui, 24th August, 1872.

In accordance with instructions contained in your telegram, No. 371, August 22, 1872, I have the honor to forward a copy of the proposed subdivision for sale of the Whenuakura Block, made by Mr. Lomax, in order to save the time of the survey staff.

I also forward the notice and schedule of sale for gazetting, as required by clause 10 of the Regulations. The date of sale has been carefully arranged to suit public convenience, and I recommend that it be adhered to.

The sections are priced according to estimated value, on the Surveyor's report. The blank space on plan between Carlyle and sections 21, 23, and 24, is intended to be divided into suburban sections at some future time; but as much of the land in this locality is swampy—though it could be easily drained—I agree with the District Surveyor, Mr. Williams, that it is not advisable to delay the sale of the rest of the block till this is surveyed. For the same reason, if it is determined to adhere to the present mode of disposing of the confiscated lands, it would, I think be unwise to delay giving the necessary *Gazette* notice till a perfect plan is produced. I adopted the course now proposed in the case of a private sale of land belonging to myself, which was surveyed by Mr. Williams, with satisfactory results, and no inconvenience whatever arose from the advertised area of sections not being precisely identical with that finally calculated.

It would, I think, be worth while to have a few lithograph copies of the plan sent to the various local offices, together with the usual extract from the *Gazette*, and the sale should be advertised here as on the last occasion, partly in full and partly by reference to the *Gazette* notices posted up. If this is left to my discretion, a saving will be effected.

I have, &amp;c.,

ROBERT PHARAZYN,

The Secretary for Crown Lands, Wellington.

Commissioner of Confiscated Lands.

## No. 28.

MEMORANDUM for the Hon. the PREMIER.

(No. 299-72.)

MR. CARRINGTON, M.H.R., informs me that he proposes to exercise his scrip issued under the Carrington Land Grant Act in the Whenuakura Block. He maintains his right to tender his scrip and to receive its value in land, as per *Gazette* notice attached. I hold that he must compete at auction or use his scrip after the land has been put up and passed, and has become open for sale without auction, under clause 22 of the Confiscated Lands Regulations.

As this is a question of law, and one which may arise in other cases (see the McGregor and Others Compensation Bill), I think the Attorney-General's opinion should be taken upon it, and that I should be instructed how to act.

I have, &amp;c.,

ROBERT PHARAZYN,

Wellington, 27th September, 1872.

Commissioner of Confiscated Lands.

## No. 29.

MEMORANDUM for the Hon. the PREMIER.

(No. 298-72.)

REFERRING to the interview I had with you on Saturday last and to-day, from which I gather that it is in contemplation to withdraw the land gazetted for sale on the 25th instant, with the view of restoring it to the Natives in pursuance of pledges made to the Legislature *re* confiscated lands, I think it my

duty to place on record the opinions I have already expressed verbally in the strongest possible manner.

Speaking with some knowledge of the subject, I maintain that all the lands between the Waitotara and Waingongoro River are exceptionally circumstanced; that all legal or equitable Native claims to them have been or are being satisfied; and that they have been so dealt with as to render it highly inexpedient and dangerous to treat these lands as part of those ordinary confiscated lands which the Government pledged itself to restore.

With regard to the Whenuakura Block, more especially though its sale was formally authorized by yourself, yet the late Government are really responsible for it, the survey having been in part executed by Mr. McLean's orders, and its details arranged by me in conjunction with Mr. Fox.

Not to sell this block now would be unfair to the public (who have long since been assured that it would be put into the market as soon as the survey was complete), injurious to the interests of the district, and dangerous to the peace of the Colony, which cannot be considered secure till this part of the West Coast is occupied by European settlers.

To allow Natives to reoccupy this land would be deliberately to plunge the country into another war, the chief brunt of which would, as on the last occasion, have to be borne by the settlers of the West Coast. As one of them, I earnestly entreat the Government to take my advice on this matter, even if my arguments may seem inconclusive and my interference impertinent.

ROBERT PHARAZYN,

Commissioner of Confiscated Lands.

Wellington, 30th September, 1872.

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