

I.—Separation Point.

It having been ascertained during the final extinguishment of the claims of the Northern tribes in 1856, that a block of land in this district supposed to have been included in the territory sold to the New Zealand Company was still in the hands of the Natives, it became necessary to enter into arrangements with them for the final surrender of their claims. The block claimed included all the country lying to the north of a line drawn from Whenuakura, in Astrolabe Roads, to Te Hori-hori, a place near the north-eastern extremity of the New Zealand Company's survey at Motupipi. This claim was finally extinguished on the 7th March, 1856, by the payment of £150 to the Ngatitama and Ngatirarua Tribes. Besides the necessary reservations for the use and occupation of the Natives, 100 acres of land were given to Te Aupouri, the principal chief of the Ngatiraruas (since vested in his two sons, Pirimona and Raniera Matenga, under Crown grant); and 100 acres were also given to Paramena Haereiti, the principal chief of the Ngatitamas in that district, under a Crown grant.

New Zealand Company's Award.—At Motupipi and Takaka, within the New Zealand's Company's block, a dispute had existed since the year 1846, in consequence of some of the claimants not having received a share of the money awarded by Mr. Commissioner Spain. This difficulty was ultimately adjusted by the payment of £60 in cash, and the reservation of 150 acres of land at Takaka, to be apportioned as follows, viz.:—To Meihana Te Ao, 50 acres; Rameka Te Paeka, 20 acres; Paramena, 20 acres; Henare Te Ranga, 20 acres; Pirimona Te Aupouri, 20 acres; Hamiora Pito, 20 acres. In consideration of the above-named payment, the claimants executed a deed of sale to the Crown, conveying all their interest in lands at Poharo, Motupipi, Takaka, and Rangiatia—namely, all the places formerly sold by Te Aupouri to the Company for £290.

A similar difficulty also existed at Aorere, for which a payment of £110 was made to the claimants, members of the Ngatitama and Ngatiawa Tribes, for the final surrender of all their claims to land at Anapu, Aorere, Papakohai, Te Parapara, Tukurua, Onekaka, Te Waikaha, and all their cultivations at Tukurua. The following reservations were also made for the use of the Natives:—At the Parapara, 330 acres for Wiremu Katene and Henare Te Ranga; and at Aorere a section of 150 acres was given to Tamati Pirimona; and 100 acres to Pouka Tanganui. The under-mentioned Natives were also promised land in the Separation Point district in the quantities set opposite their names, viz.:—Riwai Turangapeke, 50 acres near Separation Point; Ihaka Te Meri, 50 acres at Waiharakeke; and Pene Mitikakau and Merenako, 50 acres at Awarua. These lands, however, have not as yet been selected for the allottees. The only steps that seem to have been taken to carry out the original intention is the marking off on the public plan of the district of 100 acres for the Natives at Waiharakeke. Besides the cash consideration paid to the Natives for the entire surrender of their claims, it was further agreed by Sir George Grey that fifteen of the principal chiefs of the Ngatitaoa Tribe should have scrip awarded them to the value of £50 each, to be available in the purchase of Crown lands in any part of the Colony. The following is a list of the chiefs who received scrip; the names marked * indicate those who exercised their right in Nelson:—Rawiri Kingi, Matene Whiwhi, Pitiroi Para, *Tungia Ngahuka, *Tamati Waka, *Mohi Te Hua, *Hohepa Tamaihengia, Hoani Te Okora, Tamihana Te Rauparaha, Waka Te Kotua, Ropata Hurumutu, *Te Whawharua, *Rene Te Onenuku, *Nopera Te Ngiha, *Rawiri Te Kotaitai.

Memo.—The scrip intended for Nopera Te Ngiha was appropriated, in error, by Nopera Te Mura (since dead).

Twenty-six of the Native claimants were also to have 200 acres each out of the land ceded by them, in such places as the Governor may set apart for that purpose. It would seem, however, in the absence of documentary evidence on the subject, that nothing has been done to give effect to the last-named intention; neither does there appear to be any record of the persons for whom the land was originally intended. The total sum expended by the New Zealand Company and the Government in the acquisition of territory from the Natives in the original Province of Nelson and a portion of the Province of Canterbury amounts to £13,017 15s. This includes the sum of £600 paid to the Ngaitahu Tribe in 1859–60 for their unextinguished claims to land on the East and West Coasts. In addition to the above, the sum of £709 was expended by the Government in the years 1863–64, amongst the Ngatirarua, Ngatitama, and Ngatiawa Tribes, in providing them with oxen, carts, and other presents for their advantage. The boundaries of the several blocks enumerated in the untranslated paper appended to the correspondence which forms the subject of this report, differ widely from the description of the lands comprised in the several deeds of cession to the Crown. The chief argument of the writers appears to be, that because certain places adjacent to some of the blocks that were ceded to the Crown were not included in the sale thereof, but required a separate arrangement to acquire them, that it follows that the places now claimed by the appellants were not included in the general cession of their territory to the Crown in 1855–56, owing to these places not having been specifically alluded to at the time of sale. The intention of the sellers, nevertheless, is clearly expressed in all the deeds of cession, the words used being to the following purport:—“We hereby agree for ourselves, our relatives and descendants, to sell, and entirely and for ever transfer, all our lands in this Island to Victoria the Queen of England, and her successors;” and there can be no doubt but that they fully surrendered all their claims to the Crown. The position of the land now claimed is indicated on the plan by a dotted line, thus—.

In preparing the plan to accompany this report, I have not extended the purchase beyond the northern boundary line of Kemp's purchase from the Ngaitahu in 1848, although it is understood that the Ngatitaoa and other Northern tribes claimed to have sold all their interests in lands as far south as Hokitika, in the County of Westland; but as the question at issue lay to the north of the aforesaid purchase, it did not seem necessary to go beyond this line. It might however be advisable, for future reference, in case questions of a cognate character are raised again, to prepare a plan showing the whole of the purchases effected in the South Island from the various tribes; and I shall be glad to do so, if the proposition is approved of.

I have, &c.,

ALEXANDER MACKAY,

Commissioner.

The Under Secretary, Native Department.