

MANAWATU CASE.

PRECIS of the PAPERS relating to the MANAWATU PURCHASE, from the time of the delivery of judgment by the Native Land Court.

THE judgment of the Court was delivered on the 25th September, 1869, affirming the validity of the purchase made from the Natives; and the Court issued an interlocutory order in the following terms for certain lands, amounting to 6,200 acres, to be granted to some of the Natives:—

It is ordered that a certificate of land shall be issued for the following blocks of land, viz.,—

To the Ngatikauwhata people, mentioned in list A annexed hereto	4,500 acres.
To the Ngatikahoro and Ngatiparewhahawha, mentioned in list C annexed hereto	1,000 „
To Te Kooro Te One and others, mentioned in list B annexed hereto	500 „
To Wiriharai Te Angiangi	200 „
Total	6,200 acres.

as marked in the survey plan before the Court, all of which blocks shall be inalienable by sale for the period of 21 years from the date of this order: *provided that within six months a map of the whole block, on which the position of these blocks shall be accurately represented from actual survey made on the land, shall be delivered to the Chief Judge of the Native Land Court*: and provided also that if it shall be proved to the satisfaction of the Chief Judge of the Native Land Court that the survey has been prevented by force, then, in that case, the Court, by virtue of the discretion which is given by “The Native Lands Act, 1865,” will dispense with the survey, but on no other account will the survey be dispensed with.

Immediately afterwards, on the 27th September, the Superintendent of Wellington wrote to the General Government, requesting that the Native title might be declared extinguished. Mr. Gisborne referred this request to the Attorney-General, with instructions to advise the Government whether the Crown could properly notify the extinguishment of the title. The Attorney-General advised, that “before the usual notice of extinguishment of Native title was published, the boundaries of the land awarded to those of the claimants who (being non-sellers) had been found by the Court to be entitled, should be ascertained with sufficient accuracy to enable those lands to be defined; because the land over which the Native title was extinguished could not be defined until the parts excepted were defined.”

On the 7th October, Mr. Fox minuted that the Superintendent must satisfy the Government that the boundaries of the land excepted for the persons entitled under the award of the Court, had been laid down, and were agreed to by the parties concerned; but that, on this being done, there was no reason for further delay in notifying the extinguishment of the title. A letter to this effect was thereupon addressed to the Superintendent.

The Superintendent then informed the Government (9th October) that he had furnished the Attorney-General with a tracing of the boundary of the lands awarded by the Native Land Court. Mr. Gisborne thereupon asked the Attorney-General whether the extinguishment of the Native title might now be declared, and a consultation (not recorded in writing) took place between the Government and that officer on the subject. On the 16th the extinguishment of title was notified in the following terms:—

Colonial Secretary's Office, Wellington, 16th October, 1869.

It is hereby notified that the Native title has been extinguished over the block of land whereof the boundaries are described in the schedule hereto, subject to the exceptions therein specified.

W. GISBORNE, Colonial Secretary.

The schedule described, as being excluded from the block, “the lands comprised within the following boundaries, as shown in the plan filed in the Native Land Court, and referred to in the order of the Court of 25th September,” relating to the reserves for non-sellers: and then proceeded to give the boundaries of each reserve.

Surveyors were then sent to the ground to lay out the reserves. The Government almost immediately received warning that the survey would be interrupted. On the 18th November, a number of Natives wrote: “We have sent back Stewart, the surveyor. We are not clear about the judgment of the Court, or about the notice that the Native title has been extinguished.” Simultaneously with this Native letter, a letter came from Mr. Travers, as solicitor for the Native dissentients, informing the Government that they would take all lawful proceedings which