

"be the owners. Two cases of this class have arisen in the district within which I have been instructed to purchase land."

The history of the particular case, the alleged purchase of Waiharakeke and Hungahunga by Mr. Russell, around which Sir George Grey winds all this declamation is thus given by Mr. Mackay:—

"The second case is that of Mr. Thomas Russell, respecting the purchase of the Hungahunga and Waiharakeke Blocks, at the Upper Thames. These were not included in the area which I was authorized to purchase in accordance with the instructions conveyed in the Hon. Mr. Ormond's letter of the 4th March, 1872.

"Neither were these blocks included in the Proclamation of the 9th October, 1872, made under the provisions of 'The Immigration and Public Works Act Amendment Act, 1871.' I found, about the end of 1872, that Mr. Thomas Russell was in treaty for the Hungahunga and Waiharakeke Blocks, the latter being situated on the east and west banks of the River Waihou or Thames. Although not strictly within my instructions, I deemed it advisable in the interest of the public, to endeavour to secure the eastern portion of the Waiharakeke Block for the Crown, it being an extension southwards of the Aroha Block, which is reported to be auriferous. I therefore proposed to Mr. Russell, who was conducting his purchase through Messrs. Preece and Graham, that he should relinquish the part of Waiharakeke on the eastern side of the River Waihou, and complete his negotiations for the western portion of the block, and for the Hungahunga Block adjacent to it. I had no right at the time to ask him to do this, but considered it to be my duty to look after the interest of the public. On submitting the question for the consideration of the Government, they approved of my proceedings."

It thus appears that the intending purchaser, Mr. Russell, and the intending Native vendors followed the usual and perfectly open course of dealing for the blocks in question, and that both were doing that which law and public policy enabled and encouraged them to do.

The blocks ought properly to have been exempted from the operation of the Proclamation of October, 1874, and would no doubt have been so if it had been possible at once to describe their boundaries. But, whether they had been so exempt or not, the ultimate result would have been the same: the Government could not have obtained those blocks for the simple reason that the Natives, having once come to an honorable understanding for the sale of the land to Mr. Russell, would not allow even the Superintendent of the Province of Auckland to induce them to repudiate a fair bargain. They are honest, and their view of moral obligation as between man and man is not clouded by speculations regarding the interests of the Empire and the whole human race. Having proved their title to the land, as I understand they have recently done at Hamilton, these Natives now need only wait until the currency of the Proclamation by Sir James Fergusson ends, namely in October next, when they will have an unquestionable right to sell to whom they choose. It does not appear that they have as yet attempted to complete the intended sale, or that they will be able to do so in the face of the Proclamation, and, if that be true, all this alarm of the Superintendent of the Province of Auckland is premature or baseless.

6th June, 1876.

DANIEL POLLEN.

(Extract from the *New Zealand Gazette*, of July 31, 1872.)

G. F. BOWEN, Governor.

WHEREAS by "The Immigration and Public Works Act Amendment Act, 1871," the Governor is among other things, empowered to enter into arrangements for the acquisition of particular portions of land in the North Island, for the purpose of mining for gold, for the establishment of special settlements, or for the purposes of railway construction: And by the said Act it is also provided that it shall be lawful for the Governor, whenever he shall have determined to enter into negotiations for the purchase of such land, to insert a notice in the *New Zealand Gazette* that it is his intention to enter into such negotiations, and after such notice is inserted it shall not be lawful for any one to purchase or acquire from the Native owners any right, title, or interest, or contract for the purchase or acquisition from the Native owners of any right, title, or interest, in the lands specified in such notice, unless the notice be cancelled by the Governor: Provided that no such notice shall have longer operation than for the period of two years.

Now, therefore, I, Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, in pursuance of the provisions of the hereinbefore in part recited Act, and in exercise of the powers thereby vested in me, do hereby give notice that it is my intention forthwith to enter into negotiations for the purchase from the Native owners of the block or parcel of land situate in the Province of Auckland, and described as follows (that is to say):—

Commencing on the North on the sea coast at Cape Colville (or Moehau), in the District of Hauraki, in the Province of Auckland; thence by the East Coast to Ngakuri-a-whare; thence by a straight line to the summit of Te Aroha Mountain (being the northern boundary of the Tauranga District, as proclaimed under the New Zealand Settlements Act); thence by the watershed range between Tauranga Harbour and the River Thames (or Waihou) to Puapuatirohia, at the south-eastern angle of Te Aroha Block; thence by the southern boundary of Te Aroha block to Huakarama, on the banks of the River Thames (or Waihou); thence by the River Thames (or Waihou) to its mouth; thence by the sea coast of the Hauraki Gulf to Cape Colville (or Moehau), the point of commencement.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, at the Government House, at Wellington, this twenty-third day of July, in the year of our Lord one thousand eight hundred and seventy-two.

J. D. ORMOND.