

1876.

## NEW ZEALAND.

## RENT OF THE PRINCES STREET RESERVE,

(CORRESPONDENCE RESPECTING).

*Return to an Order of the House of Representatives, No. 2, 28th June, 1876.**"That copies of the correspondence between Hori Kerei Taiaroa, Te One Topi Patuki, and the Government, respecting the rent of the Princes Street Reserve, be laid upon the table of this House."—(Mr. Taiaroa.)*

## No. 1.

Governor Sir G. GREY to His Grace the DUKE of BUCKINGHAM.

MY LORD DUKE,—

Government House, Wellington, 8th October, 1867.

I have the honor to transmit, for your Grace's information, a petition which has been addressed to Her Majesty by John Topi Patuki, Chief of the Ngaitahu and Ngatimamoe tribes. This petition relates to a reserve in Princes Street, Dunedin, in the Province of Otago, which was made for the Natives in the year 1853, and has now become of very considerable value.

I enclose, for your Grace's information, a memorandum which my Responsible Advisers have prepared upon the enclosed petition, the allegations contained in which, they state, are for the most part correct.

Your Grace will find from this memorandum, that my Responsible Advisers, at a meeting of the Executive Council, inadvertently advised me to sign a Crown grant, dated the 11th day of January, 1866, by which the reserve in dispute was granted to the Superintendent of the Province of Otago, and which grant I signed in ignorance of what I was doing.

I also enclose, for your Grace's information, copies of the explanations made upon this subject in the House of Representatives, by the Hon. the Colonial Secretary, and the Hon. J. C. Richmond, the Minister for Native Affairs.

Upon inquiry, I find that the sum of £6,031 12s. 9d., accrued rents, was upon the 24th ultimo, paid over to the Superintendent of Otago, as following the grant.

I have thus put your Lordship in possession of all requisite information in reference to a case which I sincerely desired should have been compromised in a generous spirit towards the Natives of the Middle Island, who parted with large tracts of land to this Government for an almost nominal consideration.

His Grace the Duke of Buckingham.

I have, &c.,  
GEORGE GREY.

## No. 2.

MEMORANDUM by the Hon. Mr. RICHMOND.

REFERRING to a question put by His Excellency in conversation on the subject of the Princes Street Reserve, Dunedin, I have made inquiry and find that the Attorney-General advised that no appropriation was necessary to authorize the Colonial Treasurer to pay over the accrued rents to the grantee. He did not, however, express any opinion on the question, whether the rents ought or ought not to follow a grant made under circumstances so peculiar as those of the present case.

His Excellency stated that he thought that the expense of a suit for testing the validity of the grant should be borne out of the accrued rents of the reserve.

That fund is no longer in the Treasury, but it is in his Excellency's power to order payment out of other rents of Native Reserves, in which the claimants to Princes Street Reserve, amongst other persons, are interested. Ministers cannot, of course, offer any objection to a payment which His Excellency's personal connection with several proceedings relating to the Princes Street Reserve give him a peculiar right to direct.

Wellington, 23rd October, 1867.

J. C. RICHMOND.

## No. 3.

MEMORANDUM by Governor Sir G. GREY.

THE Governor, in pursuance of all powers enabling him in that behalf, directs his Responsible Advisers to lay before him, for his signature, the necessary document directing the payment of the expenses of the suit now pending, for testing the validity of the grant for the Princes Street Reserve, in Dunedin, from the rents of other Native Reserves in which the claimants of the Princes Street Reserve, amongst other persons, are interested.

26th October, 1867.

G. GREY.

## No. 4.

MEMORANDUM by Mr. ROLLESTON.

To make this Order in Council productive of good to the Natives, some one should watch the case in their interests, and prevent any opportunity being lost of settling this question if fair terms are offered.

The amount of £400 might be placed in the Bank, with authority to authorize payment for it to such person as undertook to perform the duty. Probably Mr. Mantell would do this.

10th November, 1867.

W. ROLLESTON.

## No. 5.

The Hon. Mr. RICHMOND to the Hon. Mr. MANTELL.

SIR,—

Native Secretary's Office, Wellington, 26th November, 1867.

His Excellency having, by Order in Council, directed that a sum of £400 should be advanced out of Native Reserve funds for the purpose of enabling the Naitahu and Ngatimamoe to bring the case of the Princes Street Reserve before the Supreme Court; that sum has been paid into the Bank of New Zealand, to the Princes Street Reserve Account.

I am led to believe you will continue to watch the case in the interest of the Natives. On learning from you that this is the case, I will give instructions that the account may be drawn upon only by cheque bearing your signature. I enclose a copy of the Order in Council to which I bear reference.

I have, &amp;c.,

The Hon. W. B. D. Mantell, Wellington.

J. C. RICHMOND.

## No. 6.

Mr. A. MACKAY to the UNDER SECRETARY, Native Department.

SIR,—

Native Reserve Office, Nelson, 20th February, 1869.

I have the honor to forward herewith a statement of the receipts and expenditure of the Native Reserve Fund, Greymouth, from the 1st of June, 1867, to the 31st December, 1868. A portion of this is a repetition of the statement forwarded under cover of my letter of July 14th last. The necessity for repeating this portion was owing to a sum of £113 7s. 6d., paid to Public Account on the 8th of May last, by the Collector at Hokitika, having been omitted from the previous statement by the accounts going astray; it was thought advisable, therefore, to prevent confusion in auditing the accounts, to go back to the 1st of June, 1876, the date on which the new system commenced.

Respecting the sums of £250 and £400, which appear in the present statement, I would beg to point out the disadvantage I am placed at in keeping the accounts, by moneys being appropriated out of the fund without passing through my hands, as it is quite impossible for me to furnish vouchers in support of such expenditure if the like course is to be continued.

It was only by the merest chance that I was able to supply any information to Mr. Hill, the Auditor, in reply to his letter of February 4th, calling for an explanation respecting these accounts; but fearing a question might be raised respecting these amounts, I had taken the precaution to secure such documents concerning them as I could obtain. I would therefore beg respectfully to request that for the future you will be pleased to recommend that all moneys to be expended out of the fund should pass through my hands.

With further reference to the sum of £400 appropriated out of the fund to prosecute a suit in the Supreme Court, in *re* Princes Street Reserve, Dunedin, I would beg to inquire if any interest has been paid for the use of the money, and if so, the rate of interest and the date upon which it was paid, so that I may carry the amount to the credit of the fund. It was understood, though nothing definite was settled, that the amount should bear interest at the rate of 8 per cent. while it was in use. There is now over twelve months' interest due, as the amount was appropriated in November, 1867 (*vide* Bank receipt amongst papers in Native Office), which, at 8 per cent., would amount to £32 per annum. If no interest has been paid on the above-mentioned amount, I would beg to recommend that the Paymaster here might be instructed to pay me whatever is due on it for the past twelve months, as this would admit of my passing it through the accounts in the usual way.

Concerning the sum of £3,185 standing to the credit of the fund at the end of the year, I have the honor to suggest that this amount should be invested for the benefit of the Natives interested in the estate, as the intention from the first was that all surplus revenues should be so dealt with from time to time.

The Under Secretary,  
Native Department, Wellington.

I have, &amp;c.,

ALEXANDER MACKAY,  
Commissioner, Native Reserves.

## No. 7.

The Hon. Mr. RICHMOND to the Hon. Mr. MANTELL.

SIR,—

27th May, 1869.

In reference to previous correspondence upon the subject of a suit, instituted by the Ngaitahu Natives, to try the validity of a grant to the Superintendent of Otago of the Princes Street Reserve in Dunedin, for which a sum of £400 was placed at your disposal in November, 1867, I now do myself the honor to request that you will have the kindness to furnish some account or report of the progress of that suit.

The Hon. W. B. D. Mantell.

I have, &amp;c.,

J. C. RICHMOND.

## No. 8.

HORI KERERI TAIAROA to the Hon. Mr. McLEAN.

To MR. McLEAN,—

Otago, 6th March, 1874.

Salutations. This is an application of mine to you to pay the rent due for the Princes Street reserve.

The amount of rent now owing to us is £6,000; I desire that you should pay it at the present time, as money has already been paid on that land to the extent of £5,000, having been discovered that it was Maori land. We therefore consider it only proper that we should receive rent for the time previous to the Crown grant being issued for it to the Superintendent of Otago.

Do you send a reply to this application; do not put it off to a future time, but settle it now, and write in answer to this application.

The Hon. Mr. McLean.

From your Friend,

HORI KERERI TAIAROA.

## [TRANSLATION.]

E KORO e te MAKARINI,—

Otakou, 6 Maehe, 1874.

Tena koe. He tono atu tenei naku ki a koe kia utua mai e koe nga moni utu o te reti o te whenua rahui i Otepoti. Ko te nui o aua moni e ono mano pauna. E mea ana ahau kia utua mai e koe inaianei notemea kua utua mai hoki taua whenua ki nga pauna moni e rima mano pauna. Kua tino mohiotia he whenua Maori ano. Ka tika ano kia tukua mai hoki te moni reti o taua whenua o mua atu i te Karatitanga o taua whenua i Otepoti ki te Huparetene o Otakou, me hoki mai he kupu i a koe mo tenei tono, kua koe e mea taihoa maria. Engari me hohoro to mahi me to tubi mai i te kupu mo tenei inoi aku.

Na to hoa,

Na HORI KERERI TAIAROA.

Ki a te Makarini, kei Wellington.

## No. 9.

Mr. H. K. TAIAROA to the Hon. Mr. JULIUS VOGEL.

SIR,—

Wellington, 21st July, 1874.

Salutations. This is an application to your Government to pay over the rents derived from the Dunedin Reserve—that is to say, the sum of £6,000, and interest of the said moneys, at the rate of 4 per cent. per annum, during the time the money was in your possession, bringing it up to within £8,000.

I request that the above sum be paid over to us at the present time. I have made frequent applications to the Government for the rents derived from that reserve, and have not received any answer thereto.

Do you send an answer to this application.

The Hon. Mr. Julius Vogel.

From your Friend,

H. K. TAIAROA.

## [TRANSLATION.]

TA,—

Wellington, 21st July, 1874.

Tena koe. E tono atu ana ahau ki a koe ki te Kawanatanga kia tukua mai e koutou nga moni o te reti o te whenua Maori i Otepoti ara nga moni e ono mano (£6,000) pauna me nga moni o te takoha o aua moni e takoto ana i a koutou kia wha pauna mo te rau kotahi ia tau ia tau o te takiwa e takoto roa nei aua moni i a koutou. No konei te huinga e tata ana ki te waru mano (£8,000) pauna hei utu mai ma koutou kia au. He tono tenei kia puta mai aua moni inaianei. Kua tuhia atu hoki aku tono ki te Kawanatanga mo aua moni utu reti o taua rahui. Kaore he kupu whakahoki a te Kawanatanga mo aua moni. Me whakahoki kupu mai koe mo tenei reta.

Na to hoa,

Na H. K. TAIAROA.

Kia te Hon. te Pokurukuru, kei te Whare Paremeta, Wellington.

## No. 10.

The Hon. Mr. MANTELL to the Hon. the NATIVE MINISTER.

SIR,—

Wellington, New Zealand, 11th June, 1875.

In accordance with the wish of the writers, I have the honor to hand to you a petition from Topi and Taiaroa, praying for the rents received by Government, on account of the Natives, from tenants of the Native Reserve, Princes Street, Dunedin, prior to the issue to the Superintendent of the grant which was recently the subject of litigation between the parties. They also pray that interest, at the rate of 4 per cent., may be added to the amount.

The writers request me, in presenting to you this petition, to add a word in support of its prayer; but I feel confident that the fairness of their request will be too clear to you to need any advocacy on my part.

I have, &amp;c.,

W. B. D. MANTELL.

The Hon. the Minister for Native Affairs, Wellington.

## Enclosure in No. 10.

JOHN TOPI and HORI KEREI TAIAROA to the Hon. Sir D. McLEAN.

SIR,—

Otago, 12th October, 1874.

Greeting. We pray you and your Government to pay us the rent for the Princes Street Reserve—that is to say, the £6,000, with interest accruing thereon, at the rate of 4 per cent. per annum, for the period the said money has been lying in your hands.

We pray you to pay that £6,000 now, with the interest thereon.

We consider that there is no reason why that money should now be withheld from us.

In our opinion that reserve was admitted to be Maori land, because £5,000 has been paid on account of it, which amount has been received by the owners. It will be right to pay us the back rent for the period prior to the issue of the Crown grant to the Superintendent of Otago.

We were grieved at receiving no answer to the letter written to you on the 6th of March, 1874, and also to one written to Mr. Vogel, dated the 21st July, 1874, applying for the payment of the said money. Our prayer to you is for these moneys to be paid over to us.

Do you reply to this letter.

From your loving friends,

The Hon. Sir Donald McLean.

JOHN TOPI.

H. K. TAIAROA.

## [TRANSLATION.]

E KORO,—

Otagou, 12th Oketopa, 1874.

Tena koe. E tonono ana maua kia koe, ki a koutou hoki ko tou Kawanatanga, kia utua mai e koutou nga moni utu reti o te whenua i Otepoti, ara, te ono mano pauna (£6,000), me utu mai hoki nga moni takoha o waho e wha pauna mo ia rau mo ia rau, pena tonu te utu mai o aua moni i nga tau katoa o te takiwa e takoto ana aua moni i a koutou.

E tonono ana maua kia utua mai e koe te ono mano pauna i naianei ano me nga moni takoha o waho o aua moni.

Ki to maua mahara, kahore he take e puritia atu ai aua moni i naianei ki to maua mahara kua tuturu taua whenua i Otepoti he whenua Maori ano, no te mea kua utua hoki ki nga pauna moni e rima mano, kua riro mai ki nga ringaringa o nga tangata mana taua whenua ka tika hoki kia homai nga moni utu reeti o mua atu o te tukunga o te Karauna karati ki te Huperetene o te Porowini o Otagou.

E pouri ana maua ki te kore kupu au mo te pukapuka i tuhia atu ki a koe i te 6 onga ra o Mae he 1874, me te reta kia te Pokera, o te 21 onga ra o Hurae, 1874, he tonono ano i aua moni kia tukua mai. Ko ta maua inoi tenei ki a koe kia tukua mai aua moni, me whakahoki kupu mai koe mo tenei pukapuka.

Na o korua hoa aroha,

Kia Ta Honore Te Makarini.

Na JOHN TOPI.

Na H. K. TAIAROA.

## No. 11.

MEMORANDUM on No. 10, for the Hon. the NATIVE MINISTER.

THE legal aspect of the Otepoti Native Reserve has been conceived to be, as stated by His Honor the Superintendent of Otago, in his letter of 20th November, 1872, viz., that the Natives have no legal claims. It was with a desire to meet the Natives' wishes, and prevent their throwing the money away in useless litigation, that the sum of £5,150 was paid in full of all demands, and as a settlement of the whole question.

H. T. CLARKE.

## No. 12.

MEMORANDUM by Mr. H. T. CLARKE.

HIS Honor Mr. Macandrew, in his letter of 20th November, 1872, to the Hon. the Colonial Secretary, states distinctly the terms upon which he agrees to give the £5,000 to Natives. He says, "I may observe that, in agreeing to the course indicated, I am influenced by a desire that a reasonable sum shall be paid to the Natives rather than be thrown away on litigation, and not because I think there is the shadow of a claim. In fact, as I am advised, the claim on the part of the Maoris has not a leg to stand upon."

16th October, 1875.

H. T. CLARKE.

## No. 13.

SIR,—

Otago, 24th October, 1875.

This is now the fourth letter that we have sent applying for the rent arising from the Otepoti land, that is to say, the six thousand pounds.

This is an appeal to you to pay that six thousand pounds, with interest accruing thereon for the time the said money has been in your possession. This is an earnest appeal to you to give our application your serious consideration.

And your petitioners will ever pray.

To Sir Donald McLean.

From HORI KEREI TAIAROA and another.

## [TRANSLATION.]

E KORO,—

Otakou, 24th Oketopa, 1875.

Tena koe. Ko te wha tenei o nga pukapuka tono a maua i nga moni utu reti o te whenua i Otepoti, ara te ono mano pauna.

He inoi atu tenei ki a koutou, kia utua mai te ono mano pauna, me utu mai hoki nga takoha o waho o taua ono mano pauna, mo ta koutou puritanga i aua moni. He inoi tuturu atu tenei kia whakaarotia tenei inoi a maua e koutou.

Heoi ano ka inoi tonu a koutou kai inoi.

Kia Ta Tanara Makarini.

Na HORI KEREI TAIAROA.  
Na JOHN TOPI.

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