

1877.

## NEW ZEALAND.

# KATI KATI SETTLEMENT, TAURANGA, ESTABLISHED BY MR. G. VESEY STEWART (REPORT ON THE PROGRESS OF).

*Return to an Order of the House of Representatives, No. 31, dated 30th August, 1877.*

*Ordered, "That a report be obtained and laid before this House showing the progress of the Vesey Stewart Settlement at Tauranga: the quantity of land sold to settlers, the population introduced from Great Britain and Ireland or elsewhere, the expenditure on roads, and generally."—(Hon. Mr. Fox.)*

## AGREEMENT BETWEEN MR. G. V. STEWART AND THE GOVERNMENT OF NEW ZEALAND (KATI KATI SPECIAL SETTLEMENT).

### MEMORANDUM of AGREEMENT between the Hon. the SECRETARY for CROWN LANDS and Mr. G. V. STEWART.

MEMORANDUM of an Agreement made this twenty-fourth day of June, in the year of our Lord one thousand eight hundred and seventy-four, between the Honorable George Maurice O'Rorke, Secretary for Crown Lands for the Colony of New Zealand, of the one part, and George Vesey Stewart, of Ballygawley, County Tyrone, Ireland, but now on a visit to New Zealand, Esquire, of the other part: Whereas the said George Vesey Stewart has proposed to organize and bring out from Ireland a certain number of families possessed of an adequate capital to occupy, improve, and cultivate land for the formation of a special settlement of farmers on certain lands hereinafter described; and in consideration that such proposals shall be effectually carried out, the said George Maurice O'Rorke has agreed, on the part of the Government of New Zealand, that the said lands shall be set apart for the said settlement upon the terms and conditions hereinafter mentioned: Now, therefore, this agreement witnesseth, that each of the said parties, the said George Maurice O'Rorke and the said George Vesey Stewart, doth for himself respectively promise and agree as follows:—

1. That the said George Maurice O'Rorke shall and will cause to be set apart and kept, for the purposes of a special settlement of farmers with capital, to be founded by the said George Vesey Stewart, all those lands the property of the Crown situate in the district of Tauranga, in the Colony of New Zealand, and known as the Kati Kati Block, comprising ten thousand acres or thereabouts, as defined by the plan hereunto annexed.

2. That the said block of land be surveyed at the expense of the Government, and convenient roads laid out through the same, and divided into suitable allotments, so as to be ready for selection and occupation on the arrival from Ireland of the said George Vesey Stewart and the party selected to form the special settlement.

3. That the said George Vesey Stewart shall and will select and organize a party of farmers in Ireland, being married men with families, to emigrate therefrom to New Zealand, with adequate capital to occupy, improve, and cultivate the said Kati Kati Block as a special settlement.

4. Provided that no person shall be entitled to be considered as one of the said party, or to any of the rights and privileges under this agreement, unless and until he shall have received from the Agent-General, or some person appointed by him for the purpose, a certificate in writing that such person is accepted as an eligible person to form one of the said special settlement party.

5. That in consideration of the said George Vesey Stewart organizing the said party, he shall be deemed to be the leader thereof, and as such entitled to the special advantages hereafter mentioned.

6. That the said party shall consist of a sufficient number of families to take up and occupy under this agreement the whole of the said block of land, not being fewer than forty families.

7. That the said George Vesey Stewart, together with his family, and the said party, or such part thereof as hereinafter mentioned, shall embark for the port of Auckland or Tauranga, in a vessel to be provided by the said Agent-General at a port in Ireland. The ports of embarkation and landing to be arranged between the said Agent-General and the said George Vesey Stewart.

8. That the said George Vesey Stewart shall be entitled to make a first selection out of the said block, of five hundred acres, with an additional forty acres on account of his wife and forty acres on account of each of his children, provided that such land shall be taken in one block of a convenient form.

9. That each of the said party shall be entitled to an assisted steerage or third-class passage to Auckland or Tauranga, on payment for each individual of the sum of five pounds before embarkation. Single women between the ages of fifteen and thirty-five, children of parents having assisted passages, shall be entitled to free passages.

10. That each of the said party of the age of eighteen years and upwards shall be entitled to select and occupy forty acres, with an additional twenty acres in respect of each child between the ages of twelve and eighteen: Provided that not more than three hundred acres shall be held and occupied by any number of persons forming one household.

11. That, as soon as conveniently may be after arrival, lots shall be drawn to determine the order in which the several persons shall be entitled to select the land to which they are respectively entitled, and a written permission to select given by the Waste Lands Commissioner accordingly.

12. That if any person, after receiving due notice, shall neglect, or refuse, or fail to attend to draw his lot, at a time and place to be appointed by the Commissioner of Waste Lands, the lots shall be drawn by those who attend, by themselves or by their agents; and those so failing shall, on application, receive from the Waste Lands Commissioner a written permission to select in the order in which the applications are made.

13. The right of selection shall be exercised as soon as conveniently may be after the lots are drawn, or after permission given as aforesaid, and in any event within ten days after those times respectively; and if any person fail to select within such ten days, his order of choice shall only entitle him to select after all those who are then ready to select have made their selections.

14. On a selection being made, the selector shall be entitled to receive from the Waste Lands Commissioner a certificate in writing authorizing him to occupy the land selected under the provisions and conditions of this agreement.

15. If any dispute or question shall arise in respect of the drawing of lots, or of any selection to be made under this agreement, the same shall be determined by the Commissioner of Waste Lands, and his decision shall be final and conclusive, and not liable to be questioned in any Court of law on any ground whatever.

16. At the expiration of three years from the date of the commencement of occupation, the said George Vesey Stewart, and every other occupier, shall be entitled to a Crown grant of the land, on his proving to the satisfaction of the Waste Lands Commissioner that he has, during the whole of the previous three years, been in the *bonâ fide* occupation of the said land by continuous residence thereon, and that at least one-fifth part thereof is under cultivation.

17. The holder of a certificate of occupation shall also be entitled to a Crown grant at any time prior to the expiration of three years, on proof to the satisfaction of the Waste Lands Commissioner that the whole of the land comprised in the certificate is fenced and cultivated, and a dwelling-house erected thereon.

18. The Waste Lands Commissioner, on being satisfied that any land comprised in any certificate has been *bonâ fide* occupied thereunder, shall, at the request of the person named in such certificate, authorize the transfer thereof to any other person, and the transferee shall have and be subject to the same rights, privileges, and liabilities as the person named in the certificate.

19. If an original holder of a certificate, or his transferee, shall cease to be in *bonâ fide* occupation of the land, such certificate shall become and be null and void, and all rights and privileges thereunder shall absolutely cease and determine.

20. If any question shall at any time arise as to whether any person has continued or ceased to be in *bonâ fide* occupation of the land, or otherwise fulfilled the before-mentioned conditions, such question shall be referred by the Waste Lands Commissioner to two or more Justices of the Peace, and the decision of such Justices shall be final and conclusive, and not liable to be questioned in any Court of law on any ground whatever.

21. In the event of the death of the lawful holder of any certificate before the issue of a Crown grant, the rights, privileges, and liabilities of such holder shall pass to his appointee in writing, and failing such appointment, shall pass to his personal representative, provided that he claims the same within two years from such holder's death; and failing such claim, the land shall revert to the Crown free of all claims and liabilities whatsoever.

22. If the said George Vesey Stewart, together with his family, and at least thirty families, shall not arrive in one ship at Auckland or Tauranga, in pursuance and part fulfilment of this agreement, before the first day of January, one thousand eight hundred and seventy-six, this agreement shall cease, determine, and be void; and neither the said George Vesey Stewart, nor any other person whomsoever, shall have any claim or demand to or in respect of the said land, or any part thereof, nor for any compensation on an account whatsoever in respect of the same, or of this agreement, or any matter or thing relating thereto or in connection therewith.

23. That if such thirty families shall arrive, as by this agreement required, before the first day of January, one thousand eight hundred and seventy-six, they shall be entitled at once to select their land, and the settlement shall be deemed to have been formed under this agreement, but the remainder of the said block of land of ten thousand acres shall be available until the first day of January, one thousand eight hundred and seventy-six, but not afterwards, for such others of the said party as may arrive before that day, who shall be entitled to make their selection on arrival; and if two or more arrive at the same time, priority of choice shall be determined by lot.

In witness whereof the said George Maurice O'Rorke hath, on behalf of the General Government of New Zealand, hereunto subscribed his name; and the said George Vesey Stewart hath also hereunto subscribed his name, the day and year first herein written.

G. MAURICE O'RORKE,  
Secretary for Crown Lands.  
GEO. VESEY STEWART.

Signed by the said George Maurice O'Rorke, in the presence of—

THOS. BUDDLE,  
Solicitor, Auckland,

Signed by the said George Vesey Stewart, in the presence of—

THOS. BUDDLE,  
Solicitor, Auckland.

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QUANTITY AND VALUE OF WORK PERFORMED BY THE LOCAL HIGHWAY BOARD.

					£	s.	d.
Cuttings and Two Culverts near Ongatete	...	...	...	...	3	0	0
Cutting on Main Road near Uretara	...	...	...	...	9	16	6
Foot Bridge over the Tahawai River	...	...	...	...	2	10	0
Repairing Main Road	...	...	...	...	0	5	0
Total	...	...	...	...	£15	11	6

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AT PRESENT UNDER CONTRACT.

Culvert and Road to Johnson's Farm ... .. £13 10 6

The main road between Tauranga and Thames, passing through the settlement, has not been completed by the Government. Two bridges are very much needed, one at Uretara, and one at Tahawai. The financial position of the Road Board precludes the possibility of their being able to carry out the expensive works of constructing bridges on the main road.

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Return showing the Quantity of Land held by Settlers at the Kati Kati Settlement, the Progress of the Settlement, the Population introduced, Expenditure on Roads, and generally. (Date of the Settlement, September, 1875.)

No. of Occupation.	Extent of Holding.	Extent under Grass.	Extent under Cultivation.	Total.	NUMBER OF LIVE STOCK.			NUMBER OF DWELLING-HOUSES.		NUMBER OF OUTBUILDINGS.		Extent of Land Fenced.	Extent of Land Cleared.	REMARKS.
					Sheep.*	Cattle.	Horses.	Timber.	Raupo or Mud.	Tim-ber.	Raupo or Mud.			
1	Acres. 100	Acres. 3	Acres. 2	Acres. 5	...	2	...	1	...	...	1	...	...	Fencing progressing. Orchard and garden.
2	300	42	3½	45½	...	14	3	1	...	...	...	40	8	
3	80	...	Declared	forfeited.	...	...	...	...	...	...	...	70	2½	
4	80	...	"	"	...	53	7	1	...	...	...	and sub-divided	ploughed	A large amount of swamp land drained; orchard and garden.
5	140	90	9	99	...	...	...	...	...	...	...	...	...	
6	80	...	Declared	forfeited.	...	...	...	...	...	...	...	...	...	
7	180	40	3	43	...	6	1	1	...	...	1	22	...	
8	220	in oats & grass	2	22	...	2	1	1	...	...	...	10	...	
9	80	...	Declared	forfeited.	...	...	...	...	...	...	...	35	3	Fencing progressing.
10	220	...	35	35	...	...	...	1	1	...	...	...	manuka forest	
11	240	40	...	40	...	18	...	1	...	...	...	10	...	Is cultivating land at Tauranga.
12	180	38	...	38	...	...	...	...	...	...	...	...	...	Besides at Tauranga, states that contract has been taken for erection of house at Kati Kati.
13	280	4	3	7	...	...	2	1	...	...	...	...	12	Ploughing and fencing progressing.
14	120	30	2	32	...	2	...	1	...	...	...	10	7	
15	200	...	Declared	forfeited.	...	...	...	...	...	...	...	130	10	
16	200	50	20	70	...	23	2	1	...	...	...	...	in fallow	
17	120	50	4	54	...	3	...	1	...	...	...	...	...	Fencing progressing.
18	260	18	2	20	...	1	...	1	...	...	...	40	...	Also twelve acres in orchard and garden.
19	80	18	2½	20½	...	4	...	...	1	...	...	22	...	About one acre, orchard and garden.
20	80	9	½	9½	...	...	...	1	1	...	...	...	...	
21	220	40	10	50	...	4	5	1	...	...	...	10	1	A quantity of timber delivered for fencing garden and orchard.
22	120	8	4	12	...	3	2	...	...	2	...	12	...	Fencing progressing; boundary fence erected.
23	300	60	8	68	...	3	3	...	...	...	...	...	...	
24	220	...	Declared	forfeited.	...	...	...	...	...	...	...	16	10	Store, post office, and publichouse.
25	100	10	5	15	...	5	...	2	...	...	...	...	ploughed	
26	120	...	Declared	forfeited.	...	...	...	...	...	...	...	4	2	
27	160	11	...	11	...	7	1	1	...	...	...	...	4	Three acres, garden and orchard.
28	80	18	2	20	...	4	1	...	...	...	...	10	...	Orchard and garden.

Return showing the Quantity of Land held by Settlers at the Kati Kati Settlement, &c.—continued.

No. of Occupation.	Extent of Holding.	Extent under Grass.	Extent under Cultivation.	Total.	NUMBER OF STOCK.			NUMBER OF DWELLING-HOUSES.		NUMBER OF OUTBUILDINGS.		Extent of Land Fenced.	Extent of Land Cleared.	REMARKS.
					Sheep.*	Cattle.	Horses.	Timber.	Raupo or Mud.	Timber.	Raupo or Mud.			
29	Acres. 1,000 ?	Acres. 180	Acres. 10	Acres. 190	300	60	7	...	...	...	...	Acres. ...	...	Resides on farm adjoining nearly the whole of which is under cultivation. Three acres under contract for crops; considerable amount of draining done; fencing progressing.
30	80	9	8	17	...	9	1	1	...	...	...	8	...	
31	200	...	Declared forfeited.	69	...	7	1	1	...	...	...	9	...	Orchard and garden. Wooden house under construction. Only selected in April, 1877.
32	300	60	2½	2½	...	...	...	...	...	...	...	...	2½ } ploughed }	
33	80	...	2½	32	...	...	...	...	...	...	...	...	...	Orchard and garden. Weather-board house in course of erection, and fencing boundaries.
34	180	12	22	32	...	...	3	1	...	1	...	...	...	
35	220	12	38	50	...	3	3	1	...	...	...	50	...	Orchard and garden; fencing progressing. Three acres, orchard and garden.
36	220	30	25	55	...	7	3	1	...	...	...	40	...	
37	280	25	...	25	...	...	1	...	...	...	...	37	...	Orchard and garden.
38	160	...	Declared forfeited.	46	...	5	2	timber }	raupo }	...	...	50	...	
39	280	30	16	19	...	2	2	...	...	...	...	...	...	Orchard and garden; fencing progressing.
40	80	13	6	16	...	8	4	1	...	...	...	15	30 } ploughed }	
41	120	10	6	16½	...	5	...	1	...	...	...	16½	...	Three acres, orchard and garden.
42	120	12	4½	16½	...	2	2	1	...	...	...	100	8 } ploughed } 10 } cleared }	
43	300	37	11	48	...	...	...	...	...	...	...	...	...	
		Totals ...		1,302½	300	262	57	25½	6½	5	3			

\* Several of the settlers are stated to own sheep, but the numbers, except in the case of No. 29, are not given.  
Area of the settlement : 8,380 acres.  
Total extent of holdings declared forfeited : 9 sections = 1,220 acres.  
Number of settlers introduced : 42 families, representing 294 persons, of whom 160 were adults.

