

May, 1855,<sup>1</sup> he brought those promises under his notice, and says, "On this occasion I brought under Colonel Wynyard's notice many facts with which I have not troubled you. His Excellency gave to my remarks the most polite attention; but none but the most unsatisfactory replies. I therefore, in the belief that I should there find both inclination and power to aid my Maori friends, resolved to bring the main question before the Secretary of State for the Colonies."

It does not appear that these promises were ever brought under the notice of the Colonial Government in a written and formal manner.

The correspondence between Mr. Mantell and the Secretary of State<sup>2</sup> was forwarded by the latter to the Colonial Government.

Mr. McLean, the Native Secretary, states, in a memorandum dated the 26th January, 1857,<sup>3</sup> "I can find no trace or record of any other promise made to these Natives, nor have they, to my knowledge, alluded to any direct promise made by the Government that has not been fulfilled. If any distinct promise has been made to the Ngaitahu Tribe of prospective advantages to be obtained by them consequent on the cession of their land I submit that Mr. Mantell should have distinctly stated, for the information of the Government, what the real extent and nature of these promises actually were, by whom made, and by what authority. In the absence of such information, which Mr. Mantell has failed to produce in any definite shape, I conceive that the Government is not chargeable with the blame imputed to it by Mr. Mantell, inasmuch as the terms of the original treaties or agreements for the cession of their lands have been strictly observed and fulfilled by the Government."

In 1863 the management of Native affairs passed from the Imperial to the Colonial Government.

It is evident from Mr. Fox's memorandum of the 15th November, 1864,<sup>4</sup> that some statement as regards unfulfilled promises had come to the knowledge of the Government, and, with the view of obtaining information in relation thereto, Mr. Henry T. Clarke was sent "with special instructions to inquire into the condition of the Natives in the Otago Province, and to ascertain what pledges had been made to them on the sale of their land to the Government many years ago, and how far these pledges had been fulfilled."

On the 29th September, 1864,<sup>5</sup> Mr. Clarke reported that, "Taking them as a people, they are the most inert and listless I ever met. Whether this arises from the frequent use of ardent spirits, to which the Natives are much addicted (the law for preventing the supply of spirits to Natives being in these provinces a dead letter), or to the almost total neglect of their welfare by the Government, I am not prepared to say; perhaps to both: certain it is, however, there is a very marked contrast in these and the tribes occupying the North Island. . . . Some of their chiefs are fully alive to their wretched condition. They scruple not to lay the whole blame on the Government. I refer to the alleged promises made by the Government through their agents at the cession of the lands in these provinces, to which I shall do myself the honour particularly to draw your attention in another letter. . . . They answer that they have placed full reliance upon the Government giving full effect to its engagements; that the Government promised to undertake the task of ameliorating their condition as part of the consideration for their lands; that after waiting in vain for these benefits they concluded in their own minds that Government had forgotten them. They then wrote to the Governor asking him to send a pakeha to watch over their interests, and to advise them; no pakeha ever was sent. They have asked for schools for their children; none have ever been established. Despairing of any assistance from the Government they have, at the instance of the Rev. R. F. Riemenschneider (a German missionary), built a church, and are erecting a schoolhouse at their own expense."

It will be noted that there is no reference to any unfulfilled promises as to land reserves to be made.

Up to 1864, or for sixteen years after the purchase, there was no trace of the existence of grievances in the Native mind in reference to unfulfilled promises regarding reserves or tenths. The only complaints at that time as to unfulfilled promises was as regards schools, hospitals, and general care.

The next step was the passing of "The Native Schools Act, 1867."

On the 22nd November, 1867, Mr. Alexander Mackay was appointed to proceed to the Middle Island.<sup>6</sup> The following formed part of the instructions he received at the time from the Hon. J. C. Richmond: "The object of your journey to the South at the present time is to visit the different Native settlements for the purpose of giving to the Natives the information and assistance which will enable them to bring to a conclusion any inchoate arrangements as to their reserves, and of explaining to them the recent Acts of the Legislature as to the Native lands, Native schools, and the representation of the Natives in the General Assembly. It will further be your duty to inquire into and report upon the General condition of the Natives in each settlement, having in view the promises made to them at the time of the purchase of their lands by the Government as to the establishment of schools and hospitals, and also upon any special question which may arise in any particular locality."

The published correspondence does not indicate that at that time, in Mr. Mackay's opinion, the Natives had any equitable claim to have reserves made for them, and his recommendations are confined to Natives whose claims had been overlooked in 1848, and were therefore landless, with a view to their being provided with sufficient land to maintain themselves.

<sup>1</sup> App. No. 11, Mr. Mantell to Mr. Merivale, 31st July, 1856, pp. 83, 84, Vol. ii., Native Affairs, South Island.

<sup>2</sup> App. No. 12, Mr. Merivale to Mr. Mantell, 11th August, 1856, p. 85, Vol. ii., N.A., S.I.

<sup>3</sup> App. No. 13, Memorandum by Mr. D. McLean, 26th January, 1857, p. 88, Vol. ii., N.A., S.I.

<sup>4</sup> App. No. 14, Memorandum by Mr. Fox, 15th November, 1864, pp. 91, 92, Vol. ii., N.A., S.I.

<sup>5</sup> App. No. 15, Letter of 29th September, 1864, to Colonial Secretary, from Mr. Clarke, pp. 89, 90, Vol. ii., N.A., S.I.

<sup>6</sup> App. No. 16, Letter of 22nd November, 1867, Hon. Mr. Richmond to Mr. Mackay, pp. 142, 143, Vol. ii., N.A., S.I.