

1888.  
NEW ZEALAND.

WHAKAREWAREWA SCHOOL RESERVE, MOTUEKA  
(REPORT OF MR. COMMISSIONER MACKAY UPON THE).

*Laid on the Table Sess. II., 1887, and ordered to be translated and printed Sess. 1888.*

*Return to an Order of the House of Representatives, dated 23rd November, 1887.*

*Ordered, "That there be laid before this House the report of Mr. Commissioner Mackay upon the Whakarewarewa School Reserve, in Motueka."—(MR. PARATA.)*

MEMORANDUM *re* the Petition of Tapata Harepeka and Others, for the Restoration of certain Lands at Motueka granted to the Bishop of New Zealand as an Endowment for an Industrial School out of Reserves set apart for their Use and Occupation.

THE history of the early formation of the Nelson settlement being inseparably connected with the subject-matter of the petition, it would be difficult to explain clearly the whole of the circumstances which led to the setting-apart of the lands which are now sought to be recovered by the petitioners without briefly referring to the scheme under which the reserves at Motueka were set apart.

One of the principal features in the formation of the New Zealand Company's settlements was the scheme of Native reserves, and in all the early land-transactions with the Natives the deeds contained an express covenant that a portion of the land ceded, equal to one-tenth, should be reserved by the Company and held in trust for the future benefit of the vendors.

In fulfilment of the above engagement the original quantity set aside by the Company in the Nelson settlement as Native reserves was 20,100 acres—viz., 100 town acres, 100 suburban sections of 50 acres each, and 100 rural sections of 150 acres each, out of which only 5,057 acres have been retained.

In addition to the tenths it was also agreed between the Government and the New Zealand Company that the Natives were to have occupation land allowed them as well, as it was not intended that they should take possession of the tenths, but that these lands should be held and managed for the benefit of the vendors, and the proceeds expended for their moral and social advancement.

The mode of acquiring the Native reserve tenths was determined by lot in the same manner that orders of choice were obtained by European purchasers.

The tenths, town and suburban, were selected in the Nelson settlement by the Police Magistrate, Mr. H. A. Thompson, in 1842.

In fulfilment of the arrangement made between Captain Wakefield and the Natives shortly after the arrival of the preliminary expedition at Nelson, that they should retain a considerable portion of the Big Wood at Motueka, then in cultivation by them, Mr. Thompson was compelled, in consequence of their cultivations being included in the surveyed sections, to select these lands as Native reserves under the New Zealand Company's scheme. This led to the following fifty-acre suburban sections being chosen : viz., Nos. 157, 159, 160, 161, 183, and 187—in all, 300 acres.

In 1844 Mr. Commissioner Spain, who had been sent out from England by the Imperial Government clothed with plenary powers to investigate and determine the New Zealand Company's claims to land in New Zealand, arrived in Nelson for the purpose of holding an inquiry into the Company's claims in that district. On visiting Motueka he found the Natives, besides being in occupation of the aforesaid sections, were also cultivating lands that had been chosen by the settlers. It became necessary, therefore, in order to enable the Company to keep faith with its purchasers, to exchange these sections for lands selected as Native reserves tenths in other parts of the district.

This resulted in seven of the original fifty-acre sections being exchanged for seven others of an equivalent area in the Big Wood. In addition to the sections already in the occupation of the Natives, Commissioner Spain awarded them three more, bringing the number up to sixteen, and the quantity of land to 800 acres.

In July and August, 1853, two grants, comprising in all 1,078 acres and 5 perches, were issued in favour of the Bishop of New Zealand as an endowment for a school for religious, industrial, and English education of children of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean.

Of the quantity of land included in the grant, 918 acres and 5 perches was appropriated out of the Native Trust Estate, and 160 acres belonged to Crown lands. The proportion taken

out of the Trust Estate included some of the best lands belonging to the property, but the Crown land was utterly valueless, and has remained so to the present day.

The 918 acres appropriated as aforesaid included 350 acres of the quantity allotted formerly by Commissioner Spain for the Natives, and to the dissatisfaction that has prevailed in consequence of this action may be attributed the want of success that has attended the school since its outset.

On the allocation of the Native reserves in Motueka becoming known, the Nelson Provincial Council passed a resolution condemning the dedication of these lands for the purposes described in the grant as being a violation of the contract in virtue of which the Nelson settlement was founded. A memorial was also despatched to the Secretary of State for the Colonies setting forth the reasons why the grant to the Bishop should be annulled.

In reply to the protest made by the Council, permission was granted to try the validity of the grants by *scire facias*, but after duly considering the matter, although still holding to the opinion formerly expressed, it was decided that it would be impolitic to make any attempt to disturb the grants, as other questions of title were inwrapt which it would be inexpedient to raise.

The question of the Motueka endowment was subsequently brought before Parliament in 1867, on a motion made by Mr. C. Parker, M.H.R. for Motueka. Owing to the representations then made, and the general dissatisfaction that prevailed regarding the administration of the whole of the educational Trusts throughout the colony, a Royal Commission was appointed in 1869 to inquire into the matter.

The Commissioners, in reporting on the subject, stated, "In many cases the grants of the endowments themselves seem to be of questionable legality, and in one instance, at least, the lands have been diverted from the Trusts for which they were originally granted to objects of an entirely different character. . . . The Commissioners therefore, with a view to the maintenance of the rights of the persons beneficially interested in these grants, and in order to secure to them the advantages contemplated when they were made, recommend that an Act should be introduced into the Legislature empowering the Government to appoint an Official Trustee or Trustees, in whom all these estates should be vested, upon precisely the same Trusts (wherever these latter should not be considered positively illegal) as those for which they were originally given."

With reference to the grants now under review, the Commissioners make the following observations:—

"These grants, which have caused much local dissatisfaction, appear to have conveyed an amount of land (consisting of reserves originally made for the benefit of the whole of the Natives residing around the settlement of Nelson) disproportionate to the relative number of Natives of that denomination in the settlement. . . . The attempts to establish a school there (Motueka) must be characterized as failures."

No action was taken to carry out the recommendation made by the Commissioners.

In 1879 a Commission was appointed under letters patent to inquire into and report upon the University of New Zealand and other educational institutions. Amongst other institutions inquired into was the Motueka School endowment, and the evidence taken will be found at pages 137 to 139, 157 to 161, and 162 to 166 appended to the Commissioners' report. The Commissioners did not append any remarks to their report touching the condition of the endowments they took evidence on, consequently it is impossible to determine their joint opinion on the subject.

Touching the allegations contained in the petition, that the Natives gave the land on the understanding that it would be returned in the event of the school being closed, it will probably be found impossible to furnish any tangible evidence in proof or disproof of the statement; but it cannot be disguised that the school has been unsuccessful from the outset, and that the conditions of the grants have been infringed on several occasions.

In the first place, the school was in abeyance for about three years, between 1857 and 1860; it was then closed again for four years, between March, 1864, and May, 1868, in consequence of the scholars having decamped, owing to their unwillingness to work, as well as their distaste to be under restraint. It was reopened in May, 1868, with fair success under the Rev. Mr. Ronaldson, and remained open under his charge, and subsequently under Mr. Joseph Baker's, in an irregular manner for about thirteen years. Mr. Baker was appointed in May, 1872. The school has been permanently closed since May, 1881, and it would be fruitless making any further attempt to open it, as there are no children to educate.

The want of success that has attended the school throughout is entirely owing to local circumstances—viz., the annoyance evoked in the minds of the Natives at their lands having been appropriated for the purpose. This feeling was a continual source of irritation, and deterred the attendance of children in the locality, while the local jealousies prevented parents at a distance from utilising the establishment. The Motueka School, when first established under the Rev. Mr. Tudor, before the endowment was made, was well attended; but directly the land was taken, and the Natives had to remove off the portions cultivated by them, a feeling of dissatisfaction at once commenced, and has continued more or less ever since.

The appropriation of this land has also operated detrimentally to the interests of the Natives in other respects, as the inability of the institution to provide for all the school requirements needed necessitated other arrangements being made to bring education within reach of other localities, thereby causing an extra charge on the Native Reserve Fund accruing from other lands which should not have been hampered with claims for educational purposes, considering the valuable property that had been allocated in that behalf.

It will probably be admitted that the following reasons furnish a good and sufficient cause why the grants of the aforesaid lands should be annulled, and that legislative action should now be sought to vest the land in the Public Trustee:—

(1.) There is little doubt that the grants to the Bishop of New Zealand are both illegal and inequitable. Illegal, because the lands appropriated have been dedicated to uses entirely at

variance with the intention for which they were set apart—viz., for the special benefit of certain Natives; inequitable, because lands that were set apart in fulfilment of a special engagement with the Natives, and, in fact, formed part of the purchase-money for the cession of their territory to the New Zealand Company, have been made available for the education of European children, and children of other poor and destitute persons of islands in the Pacific Ocean.

(2.) Because the terms of the grant have not been maintained—viz., that religious education, industrial training, and instruction in the English language should be constantly taught—the school having been frequently closed for three and four years at a time, and is now permanently discontinued owing to there being no further use for it.

Although it is impossible to gauge accurately the benefits that may have accrued to the Natives through the dedication of over nine hundred acres of the prime part of their estate as an endowment for school purposes, it is quite possible to approximate the total income that would otherwise have flowed into the Trust funds for their behoof in other ways had this allocation not been made, and the amount would be under-estimated at £8,000.

With a view to place the Committee in possession of further information on the question, I furnish herewith the under-mentioned papers, &c., viz.: (1.) Papers containing an account of the proceedings of the Nelson Provincial Council in *re* the grant to the Bishop of New Zealand of certain lands at Motueka. (2.) Papers containing the evidence taken before the Royal Commission in 1870 on the same subject. (3.) Book containing evidence taken before the Royal Commission in 1879. (4.) Book containing, *inter alia*, reports on the condition of the Motueka School in 1856, 1876–77. (5.) Book containing memorandum on New Zealand Company's tenths. (6.) Three plans of the reserves in Motueka.

9th July, 1883.

A. MACKAY.

MEMORANDUM *re* clause 28A "Special Powers and Contracts Act, 1886," introduced for the purpose of enabling the Governor to declare, by Order in Council, that the Grants issued respectively on the 25th July and 4th August, 1853, to the Bishop of New Zealand, of certain Native Reserves in the Motueka District, should be cancelled, and the Lands vested in the Public Trustee as Native Reserves for the benefit of the Natives for whom such Reserves were originally made, or their Descendants.

THE following objections were made against the aforesaid clause in the Waste Lands Committee by Mr. Hursthouse, M.H.R., on behalf of the Bishop of Nelson: (1.) That the Bishop had not had an opportunity of being heard on the subject. (2.) That the Act in question was not a proper place for a clause of the kind to be inserted. (3.) That it was inexpedient and impolitic to take steps to cancel the grant, because there were other lands held in a similar manner, to wit, an endowment at Wanganui and at Te Aute in Hawke's Bay, as well as at other places in the colony, that might possibly be jeopardized by such action. (4.) That the Natives were deriving an interest benefit from the endowment, and had consented originally to the land being appropriated. (5.) That the land included in the endowment was occupied by tenants who were entitled to special consideration.

The Native Minister stated that, after hearing Mr. Hursthouse's statement, he would not press for the retention of the clause. It was accordingly struck out.

In reply to the objections raised by Mr. Hursthouse, the following particulars are submitted in opposition thereto:—

In the session of 1883 a petition was presented to Parliament on behalf of certain Natives of Motueka to restore the land to them; but its consideration was postponed at the request of Mr. Hursthouse, owing to the Bishop of Nelson being absent in England.

It came up again in the session of 1884, and after an exhaustive inquiry the Native Affairs Committee reported as follows: "The Committee is of opinion that the condition of the Trust has not been fulfilled, and that steps should be taken by the Government, either by action in the Supreme Court or by legislation, to restore the land in question to the condition of an ordinary reserve under the management of the Public Trustee. As regards that part of the grant made out of Crown lands, the Committee consider it should revert to the Crown.—J. B. B. BRADSHAW, Chairman. 30th October, 1884."

(a.) The Bishop of Nelson was notified that the Committee was prepared to hear him on the subject of the petition, but for some reason he did not attend. It is submitted, therefore, that it is too late now to urge that as a plea for delay.

(b.) With reference to the objection raised against the insertion of the clause to meet the case in the Special Powers and Contracts Act, it is possible, even if a special Act had been introduced for the purpose, that exception would have been taken to it by those who held the property on some other plea, although they must be fully convinced that the retention of the estate under the circumstances is altogether unjustifiable.

(c.) That it is inexpedient and impolitic to disturb the grant. This is one of those remarks that are always advanced whenever an attempt is made to remedy a wrong of the kind, that such a proposal involves a dangerous principle, and, if sanctioned, would tend to destroy the security of property held under Crown grant.

#### WANGANUI ENDOWMENT.

As regards the endowment at Wanganui being held on similar terms, the only resemblance is that the conditions of the grants are somewhat the same, but the principle involved is very different. The land included in the Wanganui endowment was not Native reserve land, nor had the Natives any interest in it at the time. The endowment was made out of land that originally formed part of the Town of Wanganui or Petre, but, owing to the requirements of the place not needing a town site of the dimensions that were first laid off, it was reduced in size about 1849; and at the time the grant was made, in 1852, the land included in it was in the position of suburban land, but the

main point to be observed in connection with the case is that the land in question, at the time it was set apart, was not the property of the Natives, but belonged to the Crown, and it was competent for the Governor, if he had the power to dedicate it, to set it apart for the purpose set forth in the grant, *i.e.*, for the use and towards the maintenance of a school for the education of children of poor and destitute persons being inhabitants of islands in the Pacific Ocean, &c.

The dedication of the aforesaid land to this purpose did not contravene any Trust, or deprive any person of their property, as was done in the case of the Motueka grant, as the land in question was lying waste at the time, and had not been appropriated to any other use.

#### TE AUTE ENDOWMENT.

With reference to the land comprised in the grant of Te Aute, this is also on an entirely different footing to the estates included in the Motueka grant.

The educational endowment at Te Aute is comprised in three grants of contiguous properties, of which two were ceded by the Maoris to the Crown under the provisions of "The Native Reserves Act, 1856," to enable a grant to be issued, and the third is a free gift of Crown land promised by Sir George Grey. These grants were made in favour of the Bishop of New Zealand, who subsequently conveyed them to trustees appointed by the General Synod.

The trust upon which the land was given by the Maoris differs from that affecting the free gift from the Crown.

The grants of the lands given by the Maoris comprise the blocks containing respectively 1,745 and 1,408 acres. One is dated the 10th June, 1857, and vests the land in the Bishop of New Zealand upon trust as an endowment for a school to be maintained at Te Aute for the benefit of the aboriginal inhabitants of New Zealand. The other also bears the same date, and is upon the same trust. The one comprising the lands given by the Government—*viz.*, 4,244 acres—is dated the 7th July, 1857, and is vested upon trust as an endowment for a school to be maintained in the District of Ahuriri, for the education of children of both races in New Zealand.

It will be seen that the two trusts are quite distinct, and, in the case of the 3,153 acres of Maori land, that the Natives gave it voluntarily for the purpose.

The matter as regards the endowments at Wanganui and Te Aute stands thus: The one at Wanganui comprises Crown land entirely, and the one at Te Aute consists partly of Native and partly of Crown lands, but the Native land was voluntarily ceded for the purpose.

It is obvious, therefore, that neither of the cases quoted by Mr. Hursthouse are on all-fours with the Motueka endowment, for, with the exception of a small parcel containing 160 acres of indifferent Crown land, the rest of the estate there consists of land that was specially allotted to the Natives by Commissioner Spain in 1844 for their use and occupation, and subsequently appropriated as an endowment in 1853 for the education "of children of our subjects of all races, and of other poor and destitute persons, being inhabitants of islands in the Pacific Ocean."

It will be observed that the condition of the grant was in contravention of the original intention for which the lands were set apart.

(*d.*) It is alleged that the Natives sanctioned the allocation of the aforesaid lands; but this they deny, and I am disposed to believe them, as their attitude throughout towards the school, on their becoming aware that their land had been appropriated to the purpose, entirely bears out the assertion that they were not parties to the transaction—in fact, some of the land was in their occupation at the time, and great dissatisfaction was manifested at their having to remove.

The draft deed submitted to the Secretary of State for the Colonies by Sir George Grey in 1851, at the time the proposal to set apart land for educational endowments for the Natives was under consideration, contains the words "has by a deed from the Natives been ceded for the support of the said school;" but the grant of the Motueka endowment contains no such words: and the inference is that the consent of the Natives was not sought, but that the land was set apart without their concurrence, and, as the evidence that was taken by the Commission in 1869–70 also tends to show, without the knowledge of any one else.

Major Richmond, who was then conservator of the estate, stated to the Superintendent of Nelson that the first he knew of it was the receipt by him of the grant; and the Provincial Government, on hearing of the appropriation, immediately protested against it, leave being subsequently given by the Imperial Government to try the validity of the grant: but no action was taken by the authorities.

(*e.*) The interests of the tenants will not be impaired by the change; but it is easy to guard them against any probability of such a result ensuing by inserting suitable words in the clause to that effect.

The conditions of the grant have been violated over and over again. The school has been permanently closed since May, 1881, and there is no likelihood of it being again reopened. The funds are now being spent entirely at variance with the intention for which the endowment was made, being disbursed by the Bishop of Nelson to provide education for the children of destitute persons on application being made to him.

This is the action that it is said is now being taken in regard to the expenditure of the funds; but, as education is free to all, it is difficult to perceive on what grounds this line of conduct can be justified, apart from the question of the propriety of abandoning the conditions of the grant that the proceeds of the estate are to be expended for the maintenance of a school at Motueka for certain purposes.

If legislative permission cannot be obtained for setting aside the grant, then the Natives should be permitted to test its validity in the Supreme Court, although it seems rather hard that they should be put to the expense of recovering their estate in this manner.

6th August, 1886.

A. MACKAY.

## MEMORANDUM relative to the MOTUEKA SCHOOL ENDOWMENT.

Government Buildings, Wellington, 1st November, 1887.

I HAVE very little more to add to the information already furnished in my memoranda of the 9th July, 1883, and the 6th August, 1886. The position of the matter is the same now as it was then.

With reference to the telegram of the Bishop of Nelson\* included in the above extract, "the destitute children" alluded to are the children of Europeans; but the fact cannot be set aside that the condition of the grant—i.e., that a "school should be maintained at Motueka"—has been violated over and over again, and for a considerable time; consequently anything that may now be attempted cannot retrieve the past or operate as a waiver of the breach of covenant.

With regard to the statement made by the Bishop of Nelson that he is prepared to maintain that the Maoris agreed to give the land for the purpose, his Lordship proposes to undertake a task that others who are more familiar than he can be with the early circumstances connected with the setting-apart of these lands are not prepared to do; but, even supposing this position was established, it is a matter of little consequence, as the Maoris had no right of disposal over these lands, the Government being virtually the trustee in accordance with the New Zealand Company's scheme.

In connection with the matter there is another point on which a doubt exists, and that is, whether the Bishop of Nelson has any legal status in regard to the lands comprised in the endowment. The land was originally granted to the Bishop of New Zealand and his successors; but, as his Lordship was appointed under Letters Patent, which he surrendered, he could have no legal successors, as the term "successors" in the grant meant successors under the Patent.

An Act was passed in 1858, intituled "The Bishop of New Zealand Trusts Act, 1858," authorising the Bishop to convey lands vested in him for religious, educational, charitable, or other purposes to trustees nominated by the General Synod; but it has not been shown that action of this kind was taken in the case of the Motueka lands, and the assumption is that no steps were taken, as Bishop Selwyn, who was one of the trustees originally appointed by the Governor to manage these lands, was fully aware of the objections raised against the Motueka grant, as will be seen by the subjoined letter written by his Lordship relative to the action taken by the Provincial Government of Nelson to obtain the necessary legal facilities to set the grant aside.

I pointed out at the beginning of this memorandum that the position of the matter is not altered, anything that the Bishop of Nelson may now be doing notwithstanding.

In view of all the circumstances, I would beg to submit that immediate measures be taken to have the grants set aside, either by the aid of the Legislature or else by permitting the Maoris to have recourse to the Supreme Court.

The following reasons appear to form a sufficient cause why action should be taken in the matter:—

(1.) The grants are both illegal and inequitable: illegal, irrespective of the position of trustee occupied at the time by the Government in respect of these lands, because the lands so appropriated have been applied to uses entirely at variance with the intention for which they were originally set apart—viz., for the special benefit of certain Natives; inequitable, because lands that were set apart in fulfilment of a special engagement with the Natives have been made available for the education of European children and children of other poor and destitute persons of islands in the Pacific Ocean.

(2.) Because the terms of the grant—that religious education, industrial training, and instruction in the English language should be constantly taught—have not been maintained, the school having been frequently closed. The school was closed in the first place from March, 1864, to May, 1868. It was reopened again then, and remained so, with varied success, for about thirteen years, and was again permanently closed in May, 1881, in which condition it has remained ever since. An attempt has been made recently to give matters an appearance of activity by putting in operation the objectionable conditions of the grant by utilising the funds of the estate in educating destitute children of European parents—a very insufficient reason for leaving the matter in its present unsatisfactory condition.

The Under-Secretary, Native Department, Wellington.

A. MACKAY.

## COPY of the BISHOP of NEW ZEALAND'S LETTER relating to the MOTUEKA GRANTS.

SIR,—

7, Old Square, Lincoln's Inn, 6th March, 1855.

In answer to the inquiries contained in your letter of the 20th February, 1855, I beg to state that the grants in question were executed by the late Governor without any previous application on my part. I have not taken any steps in consequence of these grants, excepting such as appeared to be necessary for the conservation of the property—viz., executing a power of attorney to enable competent persons in the settlement of Nelson to act for me in the management of these estates; but I have done nothing which would amount to an appropriation of the land, and I have never sold or agreed to sell any part of it, and have never received anything either on account of rents or otherwise.

It now appears that there are serious questions as to the trusts to which these lands and their rents are properly applicable, and as to the power of the Government to appoint trustees or to delegate the trusts, if any, reposed in itself, and I do not feel it within my province to decide any such question, but shall be ready to act with respect to these lands in any manner which may be directed by any Court of competent jurisdiction.

H. Merivale, Esq.

G. A. N. ZEALAND.

\* *Hansard*, 6th May, 1887, p. 121. (Copy of telegram attached.)

NOTE.—The persons appointed by the Bishop to act as his attorneys were Major Richmond, Dr. Greenwood, and Archdeacon Paul; but no steps were taken to alter the terms of the leases previously issued by the Native Reserves Trustee, until the arrival of the first Bishop of Nelson, Dr. Hobhouse, when new leases were granted for twenty-one years.—A. MACKAY.

TELEGRAM from the BISHOP of NELSON to the PREMIER.

COPY of telegram read to the House (see *Hansard*, 6th May, 1887, p. 121): "The Trust has received destitute children according to the grant, and when the repairs to the building now in hand are finished, by the funds which accumulated during the last few years, will be able to receive more children. It is, and has been, open to Maoris. I am prepared to maintain that the Maoris agreed to give the land for the purpose. It stands on the same basis as numbers of other trusts given in the same way.—BISHOP OF NELSON."

[TRANSLATION.]

WHAKAMAHARATANGA mo runga mo te Pitihana o Tapata Harepeka me etahi atu kia whakahokia atu etahi whenua kei Motueka kua karaatititia ki te Pihopa o Niu Tirenī hei oranga mo tetahi Kura, i tangohia tenei whenua i roto i etahi whenua kua rahuitia hei oranga hei painga monga Maori.

I TE mea kei te huihui te korero mo te whakanohonoho nga te Kainga o Whakatu me te korero mo nga ritenga o te pitihana nei, e kore e taea te korero whakamarama mehemea kaore e matua korero poto i i nga tikanga mo taua whakanohonohonga taea noatia te wehenga me te whakatapunga o enei whenua rahui i Motueka e korerotia nei.

Tetahi tikanga nui i roto i te mahi o te Niu Tirenī Kamupane, he whakarite rahui Maori, me te whakauru hoki i tetahi kupu i roto i nga pukapuka hoko whenua o nga Maori kia puritia kia rahuitia e taua Kamupane tetahi wahi o te whenua e rite ana ki te kotahi te kau eka i roto i ia rau eka hei painga hei oranga mo te hunga e tuku nei i o ratou whenua a ka puritia aua wahi i runga i te tikanga tiaki.

I runga i te whakamananga o tenei tikanga i rahuitia e taua Kamupane i te Kainga o Whakatu e ruatekau nga 100 eka, ara 100 nga 4 eka; 100 nga tekiona kei waho tata e 50 eka ki te tekiona kotahi me te 100 tekiona he 150 eka ki te mea kotahi kei waho ahua tawhiti. A heoi te wahi e mau ana 5,057 eka.

Hei apiti hoki mo ia 10 eka o rato i te rau i whakaae ano te Kawanatanga me te Kamupane o Niu Tirenī, me hoatu ano etahi atu whenua hei nohoanga mo nga Maori, i te mea hoki ko ia 10 eka i rahuitia ra kua e nohoia era, erangi me waiho era tu whenua kia whakahaerea a ko nga hua e puta mai ana me whakapau hei oranga hei painga hei ahatanga ma te hunga tuku.

Ko te whiriwhiringa i aua rahui ra he mea rotarota, pena me o nga pakeha.

Ko aua te kau ra, i roto i nga taone me waho atu he mea whiriwhiri e te Tumuaki o nga Pirihimana, e Te Tamihana i te tau 1842.

Hei whakamanga mo te ritenga i whakaotia e Kapene Wekipire me nga Maori i muri tata o te taenga mai o nga pakeha hei noho, i whakaritea kia puritia e nga Maori etahi wahi rahi o te motu ngaherehere nui i Motueka kei reira hoki a ratou mahinga kai i taua wa. A i te mea kua oti te ruri a ratou mahinga i roto i nga tekiona na reira ka whiriwhiria ka rahuitia enei rimatekau eka mo ratou i raro i te ritenga o te Niu Tirenī Kamupane, ara Nama 157, 159, 160, 161, 183 me 187, hui katoa 300 eka, na Te Tamihana i rahui.

I te tau 1844 I tukua mai a te Peina me te mana nui hoki ki aia na te Kawanatanga o Ingarangi i tuku mai hei rapurapu hei whakatau te Kereme o te Niu Tirenī Kamupane ki etahi whenua i te koroni nei. A i tae atu ia ki Whakatu ki te rapu i nga tikanga mo te kereme o taua Kamupane ki taua takiwa. No tona taenga atu ki Motueka rokohina atu e noho ana nga Maori i runga i o ratou na rahui, ara i aua tekiona, me te whakanoho me te mahi kai hoki ki etahi atu whenua kua oti te whiriwhiri e nga pakeha mo ratou ake. Na reira i peneitia kia mana te ritenga a te Kamupane ki nga pakeha i hoko ona whenua, a ka whakawhitia enei tekiona ka hoatu etahi mea ke kei roto i nga tekau kua oti te rahui i etahi atu takiwa Tona mutunga iho ka riro e whitu nga tikiona hei riwhi mo nga tekiona e whitu e rite ana te pai kei te Ngahere nui. Hoatu ana e Te Komihana Peina e toru nga tekiona hou hei apiti huihui katoa nga tekiona 16, nga eka o roto 800.

I te tau 1853, ia Hurae me Akuhata ka whakaputaina nga Karauna karaati e rua mo nga eka 1078: 0: 5. Ki te Pihopa o Niu Tirenī hei painga hei oranga mo tetahi kura hei whakaako i nga tamariki ki nga tikanga Karaipiture me nga tikanga o te Ingirihi me nga mahi kimi oranga. Me uru nga tamariki o nga iwi e rua me nga tamariki o nga rawakore me nga tamariki o nga tangata o nga moutere.

918: 0: 5. Eka o aua whenua i tangohia i roto nga te kau ara nga whenua e tiakina ana mo nga Maori, 160 eka no te whenua Karauna. I roto i te wahi i tangohia i roto o nga whenua tiaki mo nga Maori. Ko nga whenua pai rawa atu era otiia ko te 160 o te whenua Karauna he whenua pakihi rawa atu, a e takoto nei tona ahua inaianei.

I roto i te 918 kua tangohia ra, kei kona te 350 eka i ata rahuitia e Te Peina i mua mo nga Maori a koina ano te take i kore ai e whai painga taua kura, he pouri no nga tangata ki te tango-hanga hetanga o to ratou whenua.

I te whakataunga o nga whenua rahui i Motueka a ka rangona taua whakaotinga ka paahitia e te Porowinihera Kaunihera Whakatu tetahi motini e whakahe ana i te whakaputanga ketanga o enei whenua, me te ki hoki e tino takahi ana tenei i te ritenga i whakanohia te takiwa o Whakatu. I tukua hoki tetahi memoriara ki te Heketari o te Koroni kei Ingarangi e whakaatu ana i nga take e tika ana kia kaua e Whakaputaina nga karaati o aua whenua ki te Pihopa.

I runga i taua kupu whakahe a taua kaunihera, i tukua mai te whakaaetanga kia whakawakia taua mea i raro i tetahi tu whakawa, otiia no muri ka mahara penei, ahakoa kei te mau tonu to ratou whakahe ki te whakaputanga ketanga o aua whenua, me kati noaiho me waiho marire kei nui te raruraru i te pakarutanga o aua karaati.

I homai te ritenga mo nga rahui o Motueka ki te aroaro o te Paremete i te tau 1867 i runga i te motini a Paka (Mr. C. Parker) te mema mo Motueka. A i runga i tana i whakaatu ai me te whakahe hoki mo to whakahaerenga o tera whenua me era atu whenua hoki e puritia ana hei ora mo nga kura i raro i te tikanga tiaki i roto i te koroni ka whakaturia he Roiara Komihana i te tau 1869 kia uiuia nga ritenga e pa ana ki enei mea.

I nga Komihana e whakaputa Ripoata ana ka ki penei: "I etahi keelhi maha ko nga karaati mo etahi tu whenua penei, kei te tino he, kaore pea i te mana i raro i te Ture. A tera tetahi whenua i tino pokanoa rawa te whakaputa ke i te mahi i whakaritea mo taua whenua ki hai rawa nei i haere te whakamahinga i runga i te take i whakaritea ai aua whenua i te tuatahi. . . . Na reira ka mea nga Komihana i runga i te hiahia me te whakaaro kia whakapumautia ki nga tangata e whai paanga ana nga tika me nga painga i whakaarohia kia peratia i te tuatahi me whakaputa he Ture hei whakamana i te Kawanatanga kia whakaturia he Apiha Kaitiaki a me punau enei whenua ki aia tiaki ai mo nga tangata me nga take i whakaritea ra i te tuatahi ana kitea kei te whakaputaina hetia nga ritenga mo aua wahi."

Mo runga mo nga karaati e koreotia ra inaianei e penei ana nga kupu a nga Komihana: "He nui te anuamu mo enei karaati e whakapumau ana i etahi whenua (ara he whenua i rahuitia i te tuatahi ma nga Maori katoa e noho tata ana ki Whakatu) kaore e tino rite ana ma nga Maori o taua takiwa. . . . Ko taua mahi whakatu kura i taua takiwa (Motueka) me penei te ki, kaore i kaha."

Kaore i whakamana nga ripoata a nga Komihana.

I te tau 1879 ka whakaturia ano he Komihana i raro i nga tino pukapuka whakamana, kia rapua kia whakaatutia nga ritenga mo te tino kareti o Niu Tireni me nga mahi kura hoki. Hui atu ki te mahi uiui ki era atu mahi whakaako; i rapua ano nga tikanga mo te whenua kura i Motueka, a tera e kitea nga korero o taua mea kei nga rarangi 137 tae ki 139, 157 tae ki 161, 162 tae ki 166, o te apiti ki te-ripoata a nga Komihana. Kaore i tapiritia e nga Komihana he kupu mo te ahua o aua mahi whakaako na reira kaore e mohiotia i pehea ta ratou mahara mo enei mea.

Mo runga mo nga kupu o te pitihana e ki nei i hoatu e nga Maori enei whenua i runga i te ritenga me hoki mai aua whenua ki a ratou ana tutakina nga kura, e kore pea e kitea he korero hei whakapono i tera kupu, hei whakahe ranei. Otiia e tino mohiotia ana, kaore rawa i haere pai taua mahi, a he maha nga takahanga o te Karaati.

Tuatahi i mutu noa iho te kura i roto i nga tau e toru i te 1857 tae noa ki te 1860. Muri iho ka tutakina ano mo nga tau e wha, mai ia Maehe, 1864, tae ki a Mei, 1868, i runga i te omanga o nga tamariki i te mea kihai ratou i pai kia whakamahia ratou me te ahua whakatete ano hoki. I whakapuaritia ano i te marama o Mei, 1868, me te ahua pai o te haere i raro i te tiakanga o Te Ronihana Minita me te puare tonu i raro i aia ia Hohepa Peka mo nga tau 13. Me te ahua ngoikore haere. I whakaturia a Te Peka i te Mei, 1872. I tuturu te tutakitanga mai ano ia Mei, 1881, a mau mau whakatuwhera hou i te mea kua kore he tamariki hei whakaako.

Ko te tino putake i ngoi kore tonu ai taua kura mai ano i te tuatahi, he pouri tuturu no nga Maori o taua takiwa i te mea ka tangohia hetia a ratou whenua. Ko nei te take nana nei i arai nga Maori ki te tuku atu i o ratou tamariki me te hua o nga mahi puhachae i kore ai nga Maori noho tawhiti e tuku mai i o ratou tamariki ki taua kura. No te whakatuwheratanga tuatahi. Ko Te Tuta, Minita te Kaiwhakaako i te mea kaore ano kia tangohia te whenua, a i pai rawa te haere. Otiia i te tangohanga i te whenua me te whakahekenga o nga Maori i nga wahi e mahia ana e ratou ki te kai, heoi, tupu ana he anuamu, he riri, he whakaparahako, a e mau tonu nei.

Tera ano he mate i puta i runga i te murunga o enei whenua a waiho ana hei he mo nga Maori i runga i etahi atu tikanga na te mea kihai i kaha taua kura na reira ka mahia he ritenga ke hei whakaako mo nga tamariki me te whakapau haere hoki i nga moni e hua mai ana i nga whenua penei. Kaore rawa nei i tika kia tangohia era moni i te mea hoki kua ata whakaritea he whenua utu nui mo tera mahi.

Tera e whakaaetia he take tika enei e whai ake nei kia whakakahoretia aua karaati kia hanga hoki he Ture hei whakapumau aua whenua ki te Kaitiaki o te Katoa.

(1.) E tino mohiotia ana e tino he ana nga Karauna karaati ki te Pihopa o Niu Tireni, kaore rawa i pono hoki. Ko te he ra tenei i te mea hoki ko nga whenua i ata whakaritea mo tetahi mahi ara hei painga mo etahi tangata Maori, kua whakaputaina ketia. Kaore i pono, inahoki ko aua whenua i ata whakaritea hei painga mo etahi tangata i runga i te whakaaetanga pono, ara he tikanga utu taua whakaaetanga mo te hokonga a o ratou whenua ki te Kamupane o Niu Tireni kua whakaputaina ke tia inaianei, kua kiia hei oranga ena mo te mahi whakaako i nga tamariki pakeha me nga tamariki a nga rawakore o era atu moutere.

(2.) Ko nga ritenga o te karaati, kaore i whakamana ara tenei ritenga, me whakaako nui i nga tamariki ki te Karaipiture me nga matauranga katoa, me te reo Ingarihi, na kihai enei tikanga i tupono, inahoki he ngoikore noaiho te whakahaere, me te tutaki mo nga tau e toru e wha, a kua tino mutu rawa inaianei i te mea hoki kua kore he mahi mo taua kura.

Ahakoa kaore e taea te ki, pewhea ra nga painga ra kua tau ki nga Maori i runga i te tukunga i nga eka e 900, ara te wahi momona rawa o to ratou whenua hei oranga mo nga mahi kura. Otiia ka taea ano te ki ko te moni hua kua puta ki te tikanga Tiaki hei oranga, hei painga mo nga Maori e kore rawa e iti iho i te £8,000 mehemea i tika te whakahaere o enei whenua a mehemea ano kaore i whakarerekitia te tikanga.

Hei mohiotanga ma te komiti mo runga mo tenei mea koia ka hoatu e au enei pukapuka e whai ake nei, ara: (1.) Pukapuka whakaatu mo te mahi o roto o te Porowinihera Kaunihera o Nerehana Whakatu mo runga mo te tukunga o te karaati ki te Pihopa o Niu Tireni mo etahi whenua i Motueka. (2.) Pukapuka huinga o nga kerero i whakapuakina ki te aroaro o te Roiara Komihana



i te tau 1870 i runga i tenei mea. (3.) Pukapuka huinga korero i whakapuakina ki te aroaro o te Roiara Komihana i te tau 1879. (4.) Pukapuka huinga korero me nga ripoata mo te ahua o te kura i Motueka i nga tau 1856, 1876, 1877. (5.) Pukapuka huinga korero mo te kupu whakamahara mo nga tekau o te Kamupane o Niu Tireni. (6.) Nga mapi mo aua Rahui i Motueka. 9 o Hurae, 1883. Na Te Make.

KUPU mo runga mo te rarangi 28a mo te whakamana i nga Mahi motuhake 1886 i whakaurua kia ahei ai te Kawana ki te whakapuaki ota i roto i te Kaunihera he ki penei ko nga Karauna Karaati i whakaputaina i te 25 a Hurae, me te 4 o Akuhata, 1853, ki te Pihopa o Niu Tireni mo etahi Rahui Maori kei te takiwa o Motueka, me whakakore a me whakapumau aua whenua ki raro i te mana o te Kai Tiaki o te Katoa hei painga ma nga Maori mo ratou aua rahui i te whakaritenga tuatahi a tae atu hoki ki o ratou uri.

KOinei nga whakahe i korerotia e te Hatahauhi mema o te Paremete mo te taha ki te Pihopa o Whakatu i te aroaro o te Komiti mo nga Whema Karauna: (1.) Kaore i tukua he takiwa hei whakapuakanga kupu ma te Pihopa i runga i tenei putake. (2.) Ko taua Ture e korerotia ra, e hara i te ture tika hei whakaurunga atu i tetahi rarangi pena. (3.) He he rawa kia meatia kia whakakahoretia te karaati i te mea tera atu etahi whenua penei ano inahoki kei Whanganui kei Te Aute i Nepia me era atu wahi o te koroni a tera e pangia aua whenua e te he mehemea ka paahitia tenei Ture. (4.) Kei te tau ano he painga ki nga Maori mo enei whenua a i whakaae ano ratou i te tuatahi me whakawhiti te ritenga mo enei whenua. (5.) Ko aua whenua ra e nohoia ana inaianei e etahi kai noho e tika ana kia whai whakaaro kia ratou.

I te rongonga o te Minita Maori i nga korero a Te Hatahauhi ka mea ia. Kati hoki ra, i te mea kua rongoi ia i nga kupu whakahe, heoi e kore ia e tohe kia mau tonu taua rarangi a patua iho.

Hei whakahe enei kupu e whai ake nei i nga whakahe a Te Hatahauhi:—

I te Paremete o te tau 1883 i homai tetahi pitihana ki te Whare mo te taha ki etahi Maori o Motueka kia whakahokia atu kia ratou aua whenua otiia i whakanekehia te whakaarohanga o taua pitihana i runga i te tono a Te Hatahauhi i te mea e ngaro ana te Pihopa o Nerehana kei Ingarangi.

I ara ano taua pitihana i te nohonga o te Paremete i te 1884, a i muri iho i te tino rapunga nuitanga e te Komiti tikanga Maori, tau ana he ripoata penei ara: “I te whakaaro o tenei Komiti kaore i te whakamana nga ritenga o te Tiakanga a me hanga ritenga te Kawanatanga i roto ranei i te Hupirimi Kooti me hanga Ture ranei hei whakahoki atu i taua whenua ki tona ahua o te tuatahi ara he rahui i raro i te mana o te Kaitiaki o te Katoa. A mo runga mo te karaati mo tera wahi o nga whenua o te Karauna. Ki te mahara o te Komiti me hoki atu taua whenua kia te Karauna.—He mea tuhi, J. B. B. PARAIHO, Tiamana. 30 o Oketopa, 1884.”

(a.) I tae atu ano he whakaatu ki te Pihopa o Whakatu tera e pai te Komiti ki te whakarongo ki ana kupu mo runga mo te pitihana whak. Otiia kaore ia i tae mai, he aha ra te take. Koia ra ka mohiotia kaore e tika tena kupu hei whakaroa i taua mahi.

(b.) Mo runga mo te kupu whakahe i te whakaurunga o te rarangi mo taua keehi ki roto ki taua Ture mo nga mahi motuhake. Ahakoa ka homai he ture motuhake tonu mo tenei mea tera ano e amuanu e whakahe nga tangata e pupuri ana i taua whenua, otiia ka whakahe tonu ratou ahakoa e mohio ana ratou kei tino he ta ratou pupuri i aua whenua.

(c.) E ki ana e he ana te whaka-raruraru i taua karaati. Koi nei tonu te kupu e whakapuakina ana meatia he tikanga hei whakatika hei whakaea i tetahi he. Me te ki hoki ka noho maharahara nga tangata mo a ratou whenua mehemea e taea ana te whakakore i nga Karauna karaati.

#### TE RAHUI KURA I WHANGANUI.

Mo taua Rahui ahakoa e ahua rite ana nga tikanga o roto o te karaati e rere ke ana nga ritenga, inahoki e hara taua wahi i te whenua Maori a kaore ratou i whai paanga ki taua whenua i taua wa. I whakaritea taua wahi imua hei taone mo Pita, ara mo Whanganui, otiia i te mea he nui rawa a mohiotia iho e kore e kapi i te taone a whakahokia iho i te tau 1849. A i te wa i whakaputaina te karaati i te tau 1852 ko te ahua o aua whenua i taua wa, he whenua tanoa, otiia ko te mea nui hei tirohanga mo taua whenua ra, ara e hara i nga Maori taua whenua i taua whenua ra, erangi na te Karauna ke a e tino ahei ana te Kawana mehemea e whai mana ana ki te tuku atu i taua whenua mo runga mo nga mahi e whakaaturia ana i roto i te karaati ara he whakarite i taua whenua hei orange mo nga kura whakaako i nga tamariki a nga tangata rawakore o nga moutere. Ko te whakaritenga o tenei whenua e hara i te mea e takahi ana i etahi tikanga Tiaki, e tango ana ranei i te whenua a nga Maori pena me taua whenua i Motueka i te mea hoki ko taua whenua i Whanganui e takoto mangere ana i taua wa.

#### TE WHENUA I TE AUTE.

Mo runga mo te whenua e korerotia ra ki roto ki te karaati mo Te Aute, kei te rere ke rawa te ahua o tenei, kaore i rite ki nga whenua i Motueka. Ko taua whenua kura i Te Aute e toru nga karaati mo nga pihi e toru e takoto papatahi ana, na e rua o aua whenua i ata tukua e nga Maori ki te Karauna i raro i nga ritenga o “Te Ture Rahui Maori, 1856,” kia ahei ai te whakaputa i te karaati a ko te toru o aua whenua he mea hoatu noa e te Karauna i runga i te whakaaetanga a Ta Hori Kerei. Ko enei karaati i whakaputaina ki te Pihopa o Niu Tireni a nana i tuku i muri ki te Hinota nui.

Ko te tikanga Tiaki mo te wahi whenua i tukua ra e nga Maori e rere ke ana i to te wahi i tukua e te Karauna.

Ko nga eka o aua whenua. Na nga Maori i tuku 1,745 eka na te Karauna 1,408 eka. Kotahi, te karaati he mea tuhi tuhi i te 10 o Hune, 1857, a e whakapumau ana i te whenua ki te Pihopa o Niu Tireni i runga i te tikanga Tiaki hei orange mo tetahi kura ki Te Aute hei painga mo nga tangata Maori o Niu Tireni. Ko tetahi o aua Karaati, pera ano te ra i tuhia ai me ona tikanga tiaki hoki.



Ko te karaati mo te 4,244 eka i hoatu e te Kawanatanga, he mea tuhi i te 7 o Hurae, 1857, a e whakapumau ana taua whenua hei oranga mo nga tamariki o nga iwi e rua o Niu Tireni.

Koia ka kitea i konei kei te takoto ke nga tikanga tiaki e rua nei, a mo te 3,153 eka, he mea tuku marire e ratou ano hei pera.

Koi nei te ahua o nga whenua oranga kura kei Whanganui kei Te Aute. Ko tera i Whanganui, he whenua Karauna anake, ko tera i Te Aute na te Karauna tetahi wahi na nga Maori tetahi wahi i ata hoatu hei oranga mo nga kura.

Na reira kaore e rite enei wahi ki nga whenua i Motueka e korerotia ra e Te Hatahauhi, haunga te wahi iti whenua tupuhi 160 eka i tukua e te Karauna, ko te nuinga o taua whenua he wahi i ata whakaritea i ata tukua ki nga Maori e Te Peina, Komihana i te tau 1844, hei nohoanga hei oranga mo ratou, a tangohia ketia ana i te tau 1853 "hei oranga mo te kura mo nga tamariki o nga iwi rawakore katoa o nga moutere o te Moana Marino."

Ka kitea i konei kua takahia te ritenga i wahia ai enei whenua i mua.

(d.) E ki ana i whakaputaina ketia enei whenua i runga i te ata whakaaetanga a nga Maori. Otiia e ki ana ratou he kupu teka tenei, kaore ratou i whakaae. Na ko ahau e ahua whakapono ana i tenei kupu a ratou, inahoki te ahua o to ratou whakaaro mo tenei kura i to ratou rongonga kua tangohia ta ratou whenua. He tohu ra tena kaore ratou i whakaae tetahi kei te nohia e ratou tetahi wahi o taua whenua i taua wa, a he nui ta ratou pouri i te mea i peia ratou kia haere he wahi ke noho ai.

Ko te pukapuka Tauira i tukua atu e Ta Hori Kerei i te tau 1851. Ki te Heketari mo nga Koroni mo nga whenua e wehea ana e whakaritea ana hei oranga kura, e uru ana enei kupu ki roto.

"Kua oti te hanga e nga Maori te tiiti mo te tukunga o tenei whenua hei oranga mo taua kura." Otiia kaore he kupu pera i uru ki roto ki te Karaati mo te whenua i Motueka, koia ra i mohiotia ai, kaore i tonoa te whakaaetanga a nga Maori erangi i tangohia noa tia aua whenua kaore nga Maori i mohio. Me nga korero hoki i tuhia ki te aroaro o nga Komihana i nga tau 1869-70 e tohu tohu ana, i mahia ngarotia te hoatutanga o enei whenua i Motueka.

Kua korero hoki a Meiha Retimana, koia hoki te kai Tiaki o aua whenua, a kua korero ia ki te Hupereteneta o Whakatu, ko tana kitenga me tana rongonga tuatahi i tenei mea no te taenga mai o te Karaati ki aia, a no te rongonga o te Kawanatanga o taua Porowini, kua tangohia ketia enei whenua, ka whakaputaina ta ratou whakahe; muri iho ka puta te whakaae a te Kawanatanga o Ingarangi kia whakawakia taua mea kia kitea te tika te he ranei o aua Karaati. Otiia, kaore i mahia taua mea e nga tangata whai mana.

(e.) Kaore e pa he mate ki te hunga e reti nei i aua whenua. A tera ano e taea te whakauru he kupu ki roto ki tetahi rarangi o te ture hei tiaki i te taha kia ratou.

Kua maha noa atu nga takahanga o nga karaati o enei whenua. Kua tutakina tuturutia taua kura mai i te tau 1881 marama o Mei. A e kore ano pea e tuhera a muri ake nei. Ko nga moni e hua mai ana kei te whakapaua i runga i etahi mahi rere ke rawa atu i nga mahi i hanga ai te tikanga tiaki o aua whenua i te tuatahi, inahoki e pau ana aua moni e te Pihopa o Whakatu mo te mahi ako i nga tamariki o nga rawakore ana tonono mai ratou ki aia kia pera. Koi nei te mahi mo aua moni inaianei. Otiia i te mea e puare ana te mahi kura ki a katoa inaianei, e kore e mohiotia heaha te take e pai ai te whakatika i tenei tu mahi, e takahia ana ranei nga ritenga o te karaati e kii nei taua karaati, me whakapau nga hua o taua whenua hei oranga mo tetahi kura ki Motueka mo etahi mahi kua ata whakaritea ano.

Mehemea e kore e paahitia he whakaaetanga e te Paremete hei whakakore i taua karaati, heoi ko te mea pai me tuku atu nga Maori kia mahi keehi i roto i te Kooti Hupirimi. Otiia heaha te pai kia tukua nga Maori kia whakapaua a ratou moni i te rapanga i tetahi mea e mohio tia ana na ratou ano taua mea.

6 o Akuhata, 1886.

Na TE MAKE.

#### WHAKAMAHARATANGA mo runga mo te WHENUA KURA I MOTUEKA.

Tari Kawanatanga, Poneke, 1 o Noema, 1887.

He paku noa iho nga kupu hei apiti atu maku ki taku pukapuka o te 9 o Hurae, 1883, me te 6 o Akuhata, 1886, i te mea kei te mau tonu te ahua o taua mea.

Mo runga mo te waea a te Pihopa o Whakatu\* kua huia ki roto ki taua pukapuka, ko nga "tamariki rawakore" e korerotia ra e ia, na nga Pakeha ke aua tamariki. A kaore rawa e taea et karo tenei kupu, ara kei te takahia tonu tia nga ritenga o te Karaati i meingatia "kia whakaturia tonutia he kura ki Motueka." Na he tini noa atu nga takahanga i enei ritenga i tenei wa roa kua hori ake nei, a ahakoa pewhea te mahi hou inaianei, e kore e ea ikona nga he kua taha ake nei, e kore e ora te takahanga o taua Kawenata.

Mo runga mo te kupu a te Pihopa o Whakatu e ki nei ka taea e ia te tohutohu, i ata whakaae ano nga Maori kia tangohia ketia aua whenua e tango ana ia i tetahi mahi taimaha rawa, e kore rawa nei e taea e era atu tangata mohio ki nga ritenga katoa o te tuatahi te mahi. Otiia ahakoa tera ia e kaha ki te whakaatu pera. Ma tera ka aha i te mea kaore he mana a nga Maori ki te tuku ke i era whenua i te mea ko te Kawanatanga ke te kai tiaki i raro i nga ritenga o te Kamupene o Niu Tireni.

Mo runga mo tenei raruraru, tera ano tetahi mea hei titiro. Kaore pea he mana o te Pihopa o Whakatu ki runga ki enei whenua inahoki i karaatitia ki te Pihopa o Niu Tireni ki ona Kaiwhakakapi ranei. Otira i te mea i whakaturia taua Pihopa i raro i nga Pukapuka whai mana, a kua whakahokia atu e ia aua Pukapuka. Na reira e kore e tika kia taka mai taua mana ki tona whakakapi inahoki ko te kupu "Whakakapi" i roto i te karaati, tona tikanga he kaiwhakakapi i raro i nga ritenga o aua Pukapuka whai mana.

\* Korero Paremete, 6 Mei, 1887, rarangi 121. (Tenei te kape o taua waea.)

I paahitia he Ture i te tau 1858 e whakahuatia ana “Te Ture Tiaki o te Pihopa o Niu Tireni, 1858,” e whakamana ana i te Pihopa ki te tuku whenua e whakapumautia ana ki aia mo nga mahi whakaako, whare karakia me era atu mahi ki etahi kaitiaki e whakaturia ana e te Hinota Nui. Otiia kaore ano kia whakamaramatia mai, i peneitia te whakahaere mo nga whenua i Motueka; erangi e mohiotia ana, kore rawa i whakahaerea peratia, i te mea ko Pihopa Herewini tonu tetahi o nga Kaitiaki i whakaturia tuatahitia e te Kawana hei whakahaere i enei whenua, a e noho mohio ana ano ia ki nga whakahe e korerotia mo te karaati o Motueka inahoki ka kitea e tapiritia ana ki tenei nga pukapuka a te Pihopa Herewini mo runga mo te mahi a te Porowinihera Kaunihera o Whakatu ia ratou e mea ana kia whakahaerea tika tia te ture hei whakakore i te mana o taua karaati.

Kua whakaatu ano ahau i te tuatahi ake nei. Kaore i te rere ke te ahua o tenei mea, ahakoa pehea nga mahi e meatia ana e te Pihopa o Whakatu inaianei. A mo runga mo te titiro ki tenei take me ona ritenga katoa, e mea ana ahau. Me timata tonu inaianei etahi whakahaere kia whakakorea atu aua Karauna karaati, me hanga he ture hou e te Paremete, me tuku atu ranei nga Maori kia mahi i roto i te Hupirimi Kooti.

Koinei nga tike tika e tohu ana te tika kia peratia he whakahaere mo tenei mea:—

(1.) Ko nga karaati kei te he i ta te ture ritenga, kaore hoki i te pono i te tika. He he, ahakoa i pewhea te ahua o nga kai tiaki i runga i ta te Kawanatanga whakahaere mo enei whenua, i te mea hoki ko aua whenua he mea ata whakarite marie mo te tahi mahi motuhake, a inaianei kua whakaputaina ketia, kaore i waiho mo te mahi i whakaritea ai, ara hei painga mo etahi tangata Maori. Kaore i te pono me te tika, inahoki ko nga whenua i ata wehea mariretia mo nga Maori kua waiho hei oranga mo te mahi whakaako i nga tamariki a nga Pakeha me nga tamariki a nga tangata rawa kore o era atu Moutere.

(2.) A i te mea hoki i kii nga kupu o te karaati, me mau tonu te ako ki te karaipiture me te matauranga me era atu mohiotanga me te whakaako hoki ki te reo Ingarihi, na kua taka tenei whakaritenga inahoki he maha noa atu nga tutakitanga o taua kura. I tutakina tuatahi tia ia Maehe, 1864, tae noa kia Mei, 1868. Muriho ka whakapuaritia mo nga tau 13 pea, otiia pewhea te kaha o te haere. Na i tino tutakina i te marama o Mei, 1881, e takoto nei inaianei. Kua ahua whakahaerea tetahi mea he inaianei kia ki ai kei te mana tonu nga ritenga. Otiia ko taua whakahaere, he mea kino inahoki he whakapau i nga moni e hua mai ana i taua whenua i runga i te whaka ako i nga tamariki o nga Pakeha rawakore. E kore e tika waiho ko tenei whakahaere hei take e kore e whakahengia.

Ki te Hekeretari Tari Maori, Poneke.

Na TE MAKE.

TAUIRA no te reta a te PIHOPA o NIU TIRENI e pa ana ki nga KARAATI o MOTUEKA.

E TA,—

7, Kuea Tawhito (Ingarangi), 6 Maehe, 1855.

Hei kupu whakahoki atu mo nga patai i roto i to reta o te 20 o Pepuere, 1885. Me whakaatu e ahau ko aua karaati he mea whakaoti e te Kawana kua mutu nei, e hara i te mea tono naku. Kaore ano kia mahi noa mo enei karaati, e rangi he tiaki kau i aua whenua, ara he whakatu i tetahi tangata e tika ana kei Whakatu hei whakahaere i aua wahi. Kaore ano ahau kia muru noa i aua whenua. Kaore ano ahau kia hoko, kia whakaae ranei kia hokoa tetahi wahi o aua whenua; a kaore ano kia riro mai i ahau tetahi mea, moni reti ranei mo aua wahi.

Na inaianei kua kitea tera etahi mea nui e tika ana kia tirohia mo te ahua o te tiakanga mo enei whenua me nga moni e hua mai ana kia peheatia ranei, me te whai mana, pehea ranei o te Kawanatanga ki te Whakatu kaitiaki i runga i nga ritenga e pa ana ki enei mea. Na e kore e tika maku e whakaoti enei take, erangi tera au e mahi ki te whakahaere i enei whenua i runga i te tika ana tohungia mai e tetahi kooti tika e whai mana ana.

Kia H. Meriwara.

G. A. NIU TIRENI (Pihopa).

KUPU WHAKAATU.—Ko nga tangata i whakaritea e te Pihopa hei kaiwhakarite mona, ko Meiha Ritimona, ko Takuta Kiriniwuru me Arikona Paora, erangi kaore i whakarerekitia nga ritenga o nga rihi kua oti te tuku i te tuatahi e te kaitiaki o nga Rahui Maori, tae noa ki te taenga mai o Takuta Hopihanihi te Pihopa tuatahi o Whakatu. Katahi ka hanga he rihi hou mo nga tau e 21.—Na TE MAKE.

WAEA na te PIHOPA o WHAKATU ki Te PIRIMIA.

I PANUITIA ki roto ki te Whare Paremete (Tirohia Pukapuka Paremete, 6 Mei, 1887, rarangi 121): “Ko te kaitiaki e awhina ana nga tamariki rawakore i raro ano i nga ritenga o te karaati a i te mea ka oti nga whare e hanga ana inaianei, katahi ka ahei te tango mai kia maha atu etahi tamariki i te mea kua hua nga moni i roto i enei tau kua hori ake nei. Kei te puare ano ki nga Maori. Ka taea e ahau te tohe, i whakaae ano nga Maori ki te tuku i aua whenua mo enei mahi. Kei te penei ano etahi whenua maha atu i homai mo enei mahi.—PIHOPA o WHAKATU.”

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