

Lord Stanley, in a despatch to Governor Grey under date the 14th August, 1845, on the subject of the aforesaid Proclamation, disapproved of the regulations established by the Proclamation of the 10th October, 1844. He also explained that the fear of alienating the Natives in the then critical state of the colony had alone restrained the issue of peremptory instructions to stop the practice, but that it was to be terminated as soon as it was practicable to do so.

With regard to the ten-shillings-an-acre Proclamation of the 26th March, 1844, its operation was to be confined northward of a line drawn from Cape Kidnappers, in Hawke's Bay, running slightly westward until it met the Ruahine Range, thence along the range to the mountain of Rangitoto, and thence down the river Mokau to the port of Mokau. Lord Stanley also expressed himself unfavourable to its continuance at all if it was possible to put an end to it, preferring rather that the Crown's right of pre-emption as conceded by the Treaty of Waitangi should be maintained.

The ten-shillings-an-acre Proclamation was sanctioned by Her Majesty's Government in reference to the particular district defined by Lord Stanley, and the penny-an-acre Proclamation was confirmed in respect of sales sanctioned under it by Governor Fitzroy. Governor Grey was subsequently informed that Her Majesty had disallowed the Proclamations of the 26th March, 1844, the 10th October, 1844, and the notice of the 7th December, 1844; such disallowance not to prejudice any acts which had been done in strict pursuance of the Proclamation of the 26th March, 1844, antecedent to the receipt of the despatch conveying these instructions or any acts which had been done in strict pursuance of and under the authority of the Proclamation of the 10th October, 1844, antecedent to the receipt by the then Governor of New Zealand of Lord Stanley's despatch of the 27th June, 1845. All claims were to be referred to the Attorney-General to report on, and no Crown grant was to be prepared in favour of any claimant unless the Attorney-General certified that the terms of the Proclamation had been complied with.

The regulations subsequently adopted by the Governor in regard to land acquired under the foregoing Proclamations are contained in the subjoined extract from a minute of His Excellency to the Legislative Council, 7th August, 1847 :—

The regulations the Government intend to adopt are as follows:—The Government will issue at once to all claimants under the ten-shilling-an-acre Proclamation (who complied strictly with the terms of the Government notice of the 15th June, 1846), and whose claims have already been investigated or may hereafter be investigated by the Commissioner and favourably reported upon by him, absolute Crown grants in the usual form, on payment within one month from the report of the Commissioner of the remainder of the fees due; the grants to include the reserved tenths (at £1 per acre) in any case where the whole quantity granted does not exceed 200 acres. The same rule will be extended to the penny-an-acre claimants, for blocks not exceeding 500 acres (whether the land be cultivated or not), whose claims have been or may hereafter be favourably reported upon by the Commissioner, on their paying 5s. an acre within the same period of time, the quantity granted in any case not to exceed 500 acres.

The steps taken by Governor Grey for effecting a settlement of claims arising out of the above Proclamations were confirmed by Her Majesty's Government in 1848. A large proportion of the land within a radius of seven miles of the City of Auckland was claimed under the ten-shillings and penny-an-acre Proclamations; and, even to within a radius of twelve miles, but a very small portion of the land remained unclaimed under the penny-an-acre regulations.

The right of pre-emption being vested in Her Majesty by the Treaty of Waitangi, and certain Acts and Ordinances having been passed prohibiting, under penalty, private individuals from acquiring Native lands, a system of land-purchasing was commenced by the Government in 1847, and continued till 17th May, 1865, at which date it was abolished by proclamation. The Native Land Act of 1862, permitting the Natives to alienate their lands by private sale or otherwise, having been confirmed by Her Majesty, the Land-Purchase Department, by which the cession of Native lands to the Crown had heretofore been conducted, was no longer required.*

One of the chief reasons for the introduction of the Native Land Act of 1862 was owing to the discontent that agitated the minds of the Natives against the alienation of their land to the Crown. This feeling ultimately developed itself into the formation of a league to prohibit the sale of their land to Europeans. The tribes who originated this movement had viewed with alarm a rapid alienation of Native territory by other tribes, together with the progress of colonisation going on around them. They dreaded lest they should be ultimately persuaded to sell their lands and admit amongst them the advancing tide of European settlement. The Act in question was therefore considered necessary under the

* This narrative, so far, is mainly compiled from Part II. of the Introduction to the "Compendium of Official Documents relative to Native Affairs," by Alexander Mackay, Native Commissioner, Vol. I., 1873.