

The western boundary along the lake is rather vaguely worded, and a large part of it is left undescribed—viz., the part along the river-boundary between the upper and lower lakes; and the portion that is described is made more obscure by the erroneous translation appended to the printed copy of the receipt in Turtont's "Book of Deeds," Vol. ii., page 458, which makes it appear that the boundary runs "through the lake to the sea," whereas it should read, according to the Maori version (which is the executed document), "along in the waters of the Wairarapa to the sea." Mr. Cooper, who wrote the receipt in Maori, translates the part referring to the lake-boundary after entering the lake at the mouth of the Ruamahanga River, as follows: "Then it follows the Wairarapa down to the great sea."

The Natives contend, also, in regard to this block, that the boundary of the land sold by them was the highest flood-line of the lake, and not the margin, as the deed appears to indicate, as the land below that line was then considered useless to the Europeans; and they assert that it was distinctly understood between themselves and Mr. Commissioner McLean that the boundary of the sold land was to be the flood-line, as they were very unwilling to dispose of any land that was likely to detract from the importance of their eel-fisheries. Considerable opposition was displayed by them on this point, and it was only on being assured that the sale of the block would not prejudice their rights that they consented to enter into the transaction.

The deed having been mislaid it is impossible to refer to it for confirmation or otherwise of the boundaries, and the only document extant is the receipt previously alluded to, coupled with the description contained in Mr. Commissioner McLean's letter of the 7th September, 1853, forwarding the deed of sale, in which he described the western boundary of the block to be the Wairarapa Lake.

The reserves made for the Natives within the purchase were—(1) At Whangaiwakarere, (2) at Pirinoa, (3) at Wakatomotomo, (4) at Okoura, (5) at Tauanui, (6) at Wakangenge, (7) reserve for Raniera te Iho, (8) reserve for Rihara Taka.

No fishing rights appear to have been reserved.

All these lands have been set apart.

The spit from Okourewa to Kiriwai was not included in the sale of either the Turakirae or the Turanganui Blocks.

THE TAUHERENIKAU BLOCK.

The sale of this block was effected on the 19th September, 1853, but the petitioners are mistaken in supposing that it abuts the lake; the nearest point on the boundary is about five miles distant. The block that is meant is one that is known to the department as "Owhanga." This block was purchased on the 23rd December, 1853, for £1,000, and includes the Oahanga Reserve, made in the Turakirae Block. The Natives allege that the boundary near the lake was the flood-line, but the deed shows that the northern end of the lake was included in the sale, the description being from the mouth of the Ruahine Stream to the Wairarapa Lake, and thence in a north-westerly direction to Owhanga, on the western side of the lake. This description includes a large portion of the upper end of the lake.

There was only one reserve in this block, at a place called Motupiri, containing 100 acres. This reserve was intended for a Native named Rawiri Piharau, but got inadvertently sold to a Mr. Vennell. Another reserve of 100 acres adjacent to Section 5, Tauherenikau, was offered to Rawiri, but refused, and subsequently 150 acres was purchased for him at a place called Te Pouawatea, which was also declined, owing to its being too wet for occupation. The claim, therefore, is still unsettled.

THE KAHUTARA BLOCK.

This block was acquired on the 5th December, 1854, for £650.

The boundary on the lake side is a straight line from the Ruahine (which formed the south-eastern point of the Owhanga Block, acquired the previous year) to Tuakipuku, a point at the junction of the Ruamahanga with the lake. Reference to the map furnished with this report will show that a line drawn between these two points takes in a large strip of the lake on that side.

The contention, therefore, now urged by the Natives that the flood-line was the boundary cannot be upheld, and another proof that this position is untenable is the fact that over two-thirds of the block comprised within the boundaries described in the deed of sale would belong to the Natives, a condition of affairs that could not possibly exist consistently with the terms of the deed. No reserves were made in this block.

3. "All these sales," &c., does not require answering.

4. "Only the dry land was sold in these sales; all lakes, streams, creeks, and lagoons being reserved."

This contention does not accord with the condition contained in the fifth paragraph of the deed of sale of the Turakirae and the Owhanga Blocks, and the third paragraph of the deed of the Kahutara Block. The aforesaid condition in the Turakirae deed is to the following effect: "Now, we have assuredly bade farewell to and forever transferred these portions of our ancestors' lands, descended from them to us—that is, we have transferred them under the shining sun of the present day, with its lagoons, lakes, rivers, waters, trees, grasses, stones, and all and everything above the ground and under the ground, and all and everything connected with the said land. The words used in the Owhanga deed are: "We have considered over the matter, and have greeted and bade farewell to and finally ceded this place of our ancestors, derived by us from them, together with all its rivers and branches, its lakes, its waters, its trees, its herbage, its inaccessible places, and its available places, and its inferior places, and all things, whether on the surface of the soil or underneath it, together with everything appertaining to that land." The wording of the condition in the Kahutara deed is to the same effect.

5. "The sales were in every instance to the high-water mark of the lakes, and not further, as the land below that mark was then considered useless to Europeans." This statement is not borne