

208. On the 12th August, 1862, James Mackay, in a report to the Native Secretary, Wellington, gave a full account of the proceedings of this meeting, which adjusted the question of the Whangamoa Reserve. The letter reads as follows (Mackay's Compendium, Vol. I, page 333):—

Assistant, Native Secretary's Office, Collingwood, 12th August, 1862.

SIR,—

(a) The question as to the position of the northern boundary of the lands held by the Ngatitama at Whakapuaka having been long pending, and the Provincial Government of Nelson being desirous of surveying some land in that neighbourhood, I deemed it expedient, when at Nelson in June last, to arrange it.

(b) I accordingly proceeded to the pa at Whakapuaka, and on the 27th and 28th days of June had interviews with the chiefs Wiremu Katene te Manu of the Ngatitama and Maka Tarapiko of the Ngatikoata, and other Natives interested in the matter. On the 28th it was arranged that the River Whangamoa, from its source to the sea, should form the northern boundary of the Whakapuaka lands, and that a reserve of 100 acres at Whangamoa, intended for the Ngatikoata (the position of which had not been defined) should be included within the Ngatitama boundary, but should be marked off for the Ngatikoata.

(c) In order to more clearly understand the case, it may be considered necessary to make the following remarks on it, and on my proceedings:—

(d) In 1856 the Ngatikoata ceded to the Crown all their claims to lands as far as Maunganui, a place a short distance south of Whangamoa. The Ngatitama and their chief, Wiremu Katene te Manu, refused to acknowledge the right of the Ngatikoata to sell any land south of the River Whangamoa. Mr. McLean also found it impossible to purchase any lands from the section of the Ngatitama residing at Whakapuaka. On investigating the case, and inquiring from Maka Tarapiko why himself and the other Ngatikoata had sold the land as far as Maunganui, he answered that the lands between O Mokau, north of the River Whangamoa, and Maunganui, south of Whangamoa, belonged to both the Ngatikoata and Ngatitama Tribes, and for many years previous to Mr. McLean's purchase both tribes had disputed about the boundary. He considered that the Ngatikoata had not the sole right to dispose of the land as far as Maunganui. If both tribes had joined in doing so, it would have been valid.

(e) The chief, Wiremu Katene te Manu, on his part, expressed his determination to have the River Whangamoa as the boundary of the lands held by himself and his tribe, and would not admit the right of the Ngatikoata to sell any land south of that river. He also demanded that the reserve of 100 acres, intended for the Ngatikoata, should be laid off on the northern bank of it.

(f) Finding that the Ngatikoata could not prove a clear title to any of the land south of Whangamoa, I then proposed that the River Whangamoa should be the northern boundary of the Whakapuaka lands, provided the reserve of 100 acres for the Ngatikoata was laid out on the south side instead of on the north. After much argument and numerous refusals on the part of both Wiremu Katene te Manu and Maka Tarapiko, this was agreed to; and whenever the reserve of 100 acres is surveyed, both tribes will attach their names to the plan of the boundaries.

(g) The other boundaries of the Whakapuaka Reserve are well known, and have been arranged for many years past.

(h) Hoping that the steps taken to conclude this long outstanding dispute will meet with the approval of His Excellency the Administrator of the Government.

I have, &c.,

JAMES MACKAY, JUN.,

Assistant Native Secretary.

The Native Secretary, Wellington.

209. The acknowledgment of this report by the Acting Native Secretary is as under:—

SIR,—

Native Office, Auckland, 8th November, 1862.

In acknowledging the receipt of your letter of the 12th August last, reporting your proceedings, when in Nelson in June last, in arranging the position of the northern boundary of the lands held by the Ngatitama at Whakapuaka, I am directed by the Minister for Native Affairs to inform you that he has during a long time past, observed with pleasure that your reports generally show that what cases are taken in hand by you are really settled, and that your proceedings in this instance are entirely approved.

I have, &c.,

H. HALSE,

Acting Native Secretary.

The Assistant Native Secretary, Collingwood.

210. The following inconsistencies between the declaration of James Mackay and his report of forty-three years previously must be noticed:—

Firstly: We are told by the report that Maka Tarapiko did not (as affirmed in the declaration) fix the boundary of the gift to Wiremu Katene te Manu as the Whangamoa River. He claimed and insisted that the land between Maunganui (a mountain situated about the middle of the north end of Whakapuaka) and the Whangamoa River (the north-eastern boundary of the north end of the block) was owned by Ngati Koata and Ngati Tama jointly, and that had Ngati Tama joined in the sale such area would have passed to the Crown under deeds of 1856. If it seems reasonable that one should place more reliance upon James Mackay's report of 1862 than upon his declaration of 1905, then the definite suggestion in the declaration that Maka Tarapiko acknowledged a gift to Wiremu Katene te Manu of the land as far north as the Whangamoa River can be wholly discounted.

211. This report of 1862 has a further value in that it was written and shows that it was written before any idea was formed that Whakapuaka was the sole property of Wi Katene. The following extracts are particularly valuable:—

*Para. (a): "the lands held by the Ngati Tama at Whakapuaka."*

*Para. (b): "the Chief Wiremu Katene te Manu of the Ngati Tama and Maka Tarapiko of the Ngati Koata and other Natives interested in the matter."*