

The Solicitor-General.

(t) See section 87, Native Land Act, /73—No deed or instrument until Native land is vested in freehold tenure will bind the Natives. I propose to prepare an absolute conveyance. What guarantee is there that the persons who receive the money are the persons entitled by Native custom to the land.

T. STAFFORD, 26/6/77.

(u) The Commissioner is aware the instrument will not confer a legal title, but it is decided not to keep the Natives longer out of their money, and the Government know that the purchase-money is paid at a risk. Mr. Mackay must take care that he gets all the parties interested according to Native custom to sign the deed and then the deed will (I suppose) be made valid by Act. It is not, of course, a satisfactory way of doing the business, but it is alleged that delay is dangerous, and the Government have erected valuable buildings on the lands.

(Sd.) W. S. REID, 26/6/77.

Hon. Mr. McLean.

(v) Herewith is a draft form of conveyance to be signed by the Natives. After being engraved on parchment it should be signed by every Native vendor. The mode of execution and attestation had better be the same as is prescribed in the cases of deeds by the 85th section of Native Land Act, 1873. If any of the vendors are married women, then husbands should be joined as vendors as well as themselves. In any case, the deed will not be worth the paper it is written on. (See sec. 87, N.L. Act, /73.) But this I understand is to be remedied by an Act. Am I instructed to prepare such a Bill.

(Sd.) STAFFORD, 27/6/77.

106. The deed of conveyance signed was in the following terms :—

This deed made the fourteenth day of December one thousand eight hundred and seventy-seven Between Wiremu Katene te Puoho Huria Matenga and Hemi Matenga all of Whakapuaka in the Provincial District of Nelson in the Colony of New Zealand Aboriginal Natives herein termed the vendors of the one part and her Majesty the Queen of the other part Witnesseth that in consideration of the sum of two hundred pounds paid by Her Majesty the Queen to the vendors (the receipt whereof is hereby acknowledged) the vendors do hereby convey and assure unto Her Majesty the Queen her successors and assigns All those pieces or parcels of land more particularly described in the Schedule hereto with all the appurtenances thereunto belonging And it is expressly declared that the covenants declared to be implied in a conveyance of land by way of sale by the conveyancing ordinance shall be implied herein on the part of the vendors as fully and effectually as if the same were expressly set forth in words at length. In witness the parties hereto have hereunto subscribed their names.

The Schedule above referred to.

All that piece of land containing 20 perches, more or less, being Section 89 on Square 23 of the plan of the said Provincial District of Nelson, and being part of the Whakapuaka Native Estate known as Rotokura. Bounded on the north-eastward by Native land (100 links), south-eastward by Native land abutting on high-water mark of the Whakapuaka mud flat (125 links), south-westward by Native lands (100 links), and on the north-westward by Native lands abutting on high-water mark of Blind Bay (125 links). And also all that piece of land containing 10 acres, more or less, being Section 90 on the said Square 23, and being part of the said Whakapuaka Native Estate known as "Rotokura": Bounded on the north-eastward by high-water mark of the Whakapuaka mud flat, south-eastward by Native lands (1091 links), south-westward by Native lands (871 links), and on the north-westward by Native lands (1328 links): as the same pieces of land are delineated by the plan drawn hereon together with a full, free, and uninterrupted right of ingress and egress way and passage for Her Majesty, her heirs, and successors, servants, and workmen, at all times through and over that portion of the said Whakapuaka Native Estate lying between the piece of land upon which the Cable House stands, and the piece of land marked at 10 acres on the plan drawn hereon. And also over that portion of land marked "Boulder Bank" on the said plan, and that with horses, carts, or carriages, laden or unladen. And also the full, free, and uninterrupted right to erect telegraph-poles upon the said pieces of land and stretch wires thereon and thereover, and to lay cables thereunder, and also free ingress and egress to the block of 10 acres from the lands abutting the said 10 acres of land.

Signed by the said Wiremu Katene te Puoho, Huria Matenga, and Hemi Matenga, the contents having been explained to them in the Maori language, and they appearing clearly to understand the same, in the presence of, the word "those" having been written over an erasure on the eleventh line—

(Sd.) Wiremu Katene te Puoho.
(Sd.) Huria Matenga.
(Sd.) Hemi Matenga.

(Sd.) Alexander Mackay, A.M., Native Commissioner.
(Sd.) Edward , Schoolmaster, Whakapuaka.