

on shore, living with the resident natives for a period of between two and three months, negotiating for the purchase, and explaining to them the boundaries of the land he was desirous of acquiring for Colonel Wakefield; and the bargain was not concluded until the natives had seen the goods offered in payment brought by the "Guide" brig. They then consented to accept the payment, had the trade landed, and forty men, besides women and children (including, I believe, the greater part of the residents), signed the deed, and took away the goods.

During Barrett's residence here, before he effected his object, there was ample time for any of the Ngatiawa of Port Nicholson and the other places to have opposed the sale; but none appeared to dispute the right of the resident natives.

About ten years ago, a battle was fought between the Waikato and the Ngatiawa residing in this district, at a place called Pukerangiora, when the former completely conquered the latter, taking a great many prisoners with them to Waikato, whom they made slaves.

The majority of those that escaped, fearing a further attack from the Waikato, migrated to Waikanae, Port Nicholson, and other places to the south, took possession and cultivated the land there, and in the case of Port Nicholson, I have already admitted their title, by reason of their occupation of the soil for a period of nine or ten years, as against Rauparaha and others, who pretended to claim that district by right of conquest.

The natives of whom Barrett made the purchase in question, appear to have been permitted by the Waikato to occupy this district between the Sugar Loaves and Taniwa, without interruption, from the time of the taking of Pukerangiora, until the purchase; but they appear to have lived opposite the Sugar Loaves for the purpose of being ready to escape in the case of a further attack; and it seems to me, that fear of the Waikato, coupled with a desire to have Europeans to reside amongst them to protect them from their enemies, was one of the principal causes that induced them to consent to the sale of the district.

It appears to me that the Ngatiawa, who left this district after the fight, sought for and obtained another location, where they lived and cultivated the soil, and from fear of their enemies did not return, cannot now show any equitable claim to the land they thus abandoned; and having admitted their title at Port Nicholson, by reason of their occupation and cultivation of the land there, from the time of their arrival there from this place up to the time of my decision, I could not, with the slightest regard for consistency in my awards, for one moment entertain any claim of theirs to this district. Had they returned before the sale, and, with the consent of their countrymen again cultivated the soil, I should have held that they were necessary parties to the sale.

It appears, however, that some of this tribe, after the arrival of the Europeans, and the formation of the settlement, and when they thought themselves in consequence safe from their enemies, did return here and commenced cultivating land within the limits of the block previously alienated to the New Zealand Company. But I cannot, for the reasons before stated, admit their title; and if I did, I should be also obliged to admit that of all the others who might at any time think proper to return and claim payment.

From my first arrival at Wellington, the chiefs Moturoa, Wairarapa, and others, who disputed the sale of that place to the Company, constantly told me that they should remain there until they got payment, and then come here and claim payment also for this place.

I invariably discouraged them from taking a step which appeared to me so unfair and unjust, and I was much pleased to find that not one of them appeared here to assert any claim, although they had full notice of the intention of my visit to this place, and some of their people and Wairarapa's son travelled with me the whole journey.

If, however, the claims of those who had returned since the purchase had been once admitted, no doubt all the others would immediately have claimed payment, and my inquiry would have been almost interminable.

I have not seen any block of land claimed by the Company which can be spared from the aborigines with so little interference with, or injury to their interests, as the one in question.

By the enclosed return from the resident agent of the New Zealand Company, your Excellency will observe, that the natives have only 120 acres in cultivation (and many of these commenced upon long after the sale) in the whole block of 60,000; yet I have, in order to avoid as far as possible the cause of any misunderstanding between the two races, carefully reserved all these cultivations, their paha and burial-grounds, in addition to the 6,000 acres, to which they are entitled as native reserves; so that ample provision has been made for them in the reservation of land, more than sufficient for their wants.

The original block claimed by the Company was two miles more in length, and two more in breadth, than the one shown in the accompanying plan, which I have obtained for your Excellency for reference, as occasion may require, and was thus reduced after my arrival here, leaving another immense block of the very best and most available land immediately adjoining that of the Company, for the natives.

I have had two plans of the block made, and signed by myself, Mr. Clarke, and Colonel Wakefield, taking one to attach to my report, and leaving the other with the resident agent, so as to avoid the possibility of misunderstanding about boundaries hereafter. This map will show you where the native reserves in the suburban sections have been chosen, but none have been made for them in the rural sections (although 150 out of 500 sections have been already selected by the Company's purchasers), owing to the absence of any authorized agent to select for the natives. As this might very probably inflict an injustice upon the natives in depriving them of their one choice in ten, I have written to the resident agent upon the subject, of which letter I enclose a copy.