

CORRESPONDENCE

RELATING TO THE

M A N A W A T U B L O C K .

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1865.

CORRESPONDENCE RELATING TO THE MANAWATU BLOCK.

No. 1.

The SUPERINTENDENT, Wellington, to the Hon. the COLONIAL SECRETARY.

SIR,—

Wellington, 21st August, 1865.

Till the receipt of your letter of the 13th instant (received on the 16th), I was not aware that His Excellency's Government were waiting for a special report from me in addition to the information already supplied, giving the history and present state of the transactions that have taken place with reference to the Rangitikei-Manawatu Block of 200,000 acres, stated in the schedule attached to my letter of the 21st ultimo to have been formally handed over to me for sale by the three tribes of Rangitane, Ngatiapa, and Ngatiraukawa.

1. In my official report of the 18th February, 1864, giving an account of the mission which I was requested by the Government to undertake to the three tribes engaged in the Rangitikei land dispute at the very time when they were on the eve of a collision, which would have set the whole of the country between Wellington and Wanganui in a blaze, you will find that after repeated interviews with the contending tribes I achieved these results:—The Ngatiapa and the Wanganui Natives formally surrendered into my hands for sale whatever interests they might be found to have in the block in dispute; they agreed that no rents should be paid by the squatters illegally occupying the land to either of the tribes until the dispute was finally adjusted, and they further agreed that they would at once retire from the disputed block, leaving only a few men to look after their cultivations. The Ngatiraukawas and Rangitanes, while declaring their firm determination neither themselves to sell nor to allow the Ngatiapas to sell a single acre of the land, consented that the rents should be impounded till the matter was arranged, and also agreed that they, equally with the Ngatiapas, should retire from the block. Not only was the impending collision thus averted, but terms were arranged with the three tribes, which if adhered to for a short period, as I believe they have been, could scarcely fail to lead to an amicable adjustment of the quarrel.

2. In my official report of the following November (and from sundry letters) you will learn that in September, 1864, Ihakara and other leading chiefs of the Rangitane and Ngatiraukawa, after having first made peace and interchanged presents with the Ngatiapas, addressed a letter to me, in which they placed the block in my hands for sale; that similar letters were subsequently sent me from other chiefs, and that Ihakara, after having made a tour among his people, reported that the proposal to sell the land was received by them with satisfaction. You will also learn that on the 12th of October, I met by special invitation the chiefs of the Ngatiraukawa and Rangitane, and some thirty other Natives, at Manawatu, when the whole of them (including Matini Te Whiwhi) declared that they saw no other way of ending the dispute, than by selling, and then, each one making a speech, formally offered the block to me for sale, subject to terms of price and the definition of reserves;—that Ihakara afterwards on behalf of his tribe presented me with a carved club (which formerly belonged to Nepia Taratoa) which he said represented Rangitikei, adding as he gave it: "as long as I retained this club, Rangitikei could not be sold, but on handing it now to you I hand over Rangitikei; the land has now for ever gone from the Tribe and is now the Queen's." And you will also learn that when I met some two hundred of the Ngatiapas the following day, they expressed their gratification that their opponents had at last consented to sell, and repeated their determination faithfully to adhere to the agreement they had made with me nearly a year before.

So completely had the differences which had hitherto stood in the way of arranging this matter been thus removed, that in concluding my report I felt myself justified in congratulating the Government that this long-pending dispute had been virtually adjusted.

And now I have no hesitation in expressing my firm conviction that the purchase of the Block would ere this have been satisfactorily completed, had it not been for the action taken by the late Minister for Native Affairs, Mr. Mantell.

The only questions to be arranged were those of price and reserves. When I was asked by Ministers in 1863 to undertake the adjustment of this dispute, Mr. Walter Buller, the Native Resident Magistrate at Manawatu, was instructed to afford me all the assistance in his power in arranging it, and also in effecting the purchase of the Upper Manawatu Block—the purchase of which and other minor blocks was completed last October. With what zeal and ability Mr. Buller carried out these instructions I need not now point out, for I have repeatedly admitted that without his assistance I should probably have failed both in completing the purchase of the Upper Manawatu and in settling the Rangitikei dispute. And Mr. Buller not only received the warm thanks of His Excellency's Government for the aid thus rendered, but in a letter conveying those thanks Mr. Fox (then Colonial Secretary and Native Minister), intimated "that in consequence of the very satisfactory manner in which the Superintendent of Wellington had spoken of the services rendered by him in the purchase of land at Manawatu, and the general ability with which he had performed his duties over an extended district, his salary was increased from £400 to £500 per annum.

One would have imagined after such an acknowledgment that His Excellency's Ministers would not only have continued Mr. Buller in his appointment, but would have urged him still to continue to exert his influence in bringing the dispute to a close. But what is the course pursued by the late Native Minister? Mr. Mantell, after joining the Ministry, no sooner arrives in Wellington, than he censures Mr. Buller for having obeyed the instructions of his predecessor; forbids him holding any communication whatever with the Natives on the subject of the Rangitikei, or any other land question; and then knocks off the increase of salary awarded to him, with the express sanction of the Governor, by Mr. Fox;—thus committing an act of very great injustice to Mr. Buller, and depriving me of the services of the man most capable of assisting in finally and for ever closing this Rangitikei transaction.

Such a sudden and unexplained reversal of the policy pursued in this matter by the preceding Minister naturally excited feelings of dissatisfaction and distrust in the minds of the Natives. After having been told that in regard to this dispute they were to place themselves in communication with Mr. Buller, they all at once find, that Mr. Buller is in disgrace for having done his utmost to arrange it, and that at the very time when they most needed his assistance in arranging matters of detail, Mr. Buller is prohibited from affording it. Shortly afterwards, Mr. Buller is removed from Manawatu to Wanganui—a removal not objected to by Mr. Buller, simply because, I believe, he felt that his influence with the Manawatu Natives, and his power of usefulness in that district had been most materially diminished by the false position he had been placed in by Mr. Mantell. But Mr. Mantell next proceeds to re-arrange the Resident Magistrates Districts, and so divides them that he actually places one-half of the Ngatiraukawa tribe under the Resident Magistrate at Otaki, and the other half under the Resident Magistrate at Rangitikei, leaving the Manawatu—the centre of the Ngatiraukawa territory—without a Resident Magistrate. No one who knows anything of the Natives requires to be told that such an arrangement has necessarily proved fatal to the influence of both Magistrates, and has created such intense dissatisfaction amongst the Natives, that they have almost ceased to appeal to the Court, or if they do, that they treat its decisions with supreme contempt. The result of these proceedings is just what might have been by any one at all acquainted with the Natives confidently predicted—the administration of justice on the West Coast has virtually ceased. There is no one clothed with authority between Wellington and Wanganui who enjoys the confidence or possesses the slightest influence with the Natives. The Natives in fact are at a very critical period left to themselves, without any one to guide and advise them; and at no period has the influence of the General Government with the Natives on the West Coast been at so low an ebb.

In addition to these circumstances, all tending to irritate the Natives and to revive the quarrel among the three tribes, certain parties have for some time past been busily engaged in attempting to upset the adjustment of the dispute, by representing to the Natives that they had been overreached in their agreement with me,—that the exclusion of the Manawatu Block from the operation of “The Native Lands’ Act, 1862,” was such an act of injustice as fully justified them in repudiating all their engagements; and I am credibly informed, that one of these parties actually suggested that they should ask me an absurdly exorbitant price for the block, and that on my refusal to give it they should declare the bargain off.

It can scarcely be a matter of wonder that shortly after these proceedings, Mr. Mantell should receive a petition complaining of the injustice of the Manawatu Block being exempted from the operations of the Land Act; still less can it excite surprise, that Mr. Mantell should have returned the petition—rebuked the Natives for addressing it to him personally—reminded them that the proper course was to petition the Assembly—or should have given them minute instructions as to the form in which a petition should be got up: for I have heard on good authority, that the petition was not only suggested by the parties I have already alluded to, but that the names attached to it were all written by one Native. The original petition was returned to the Natives, not, I suspect, because it was informally addressed to Mr. Mantell, but because Mr. Mantell knew that if he presented it, the fact of one Native having written all the names must have been discovered, and must have discredited the petition and shown the influence to which it owes its origin.

It was not till some time after my return from the mission which I undertook on behalf of the General Government to Australia, that I became acquainted with the circumstances I have just narrated; nor do I believe that any of Mr. Mantell’s colleagues were fully cognizant of them or of their bearing. I immediately requested the Premier, that he would have the goodness to allow Mr. Buller to proceed to Rangitikei and Manawatu, with the view of at once checking and counteracting proceedings so certain to disturb the peace of the district. Mr. Weld at once placed Mr. Buller’s services at my disposal, and you will find from his reports, and from certain letters addressed to me by the leading chiefs of the three tribes, how entirely successful he was in his delicate and arduous mission. Suffice it here to say—after his interview with the Ngatiawas, all the leading men of that tribe addressed a letter to me, renewing in the most emphatic terms their agreement with me in regard to the block, declaring the absolute sale of the land, and pledging themselves not to molest the settlers’ stock, nor to demand rent pending the final settlement of the question. The Ngatiraukawa chiefs, whom Mr. Buller met at Rangitikei, also signed a declaration, pledging themselves in the most unequivocal manner, to abide by the terms of their agreement—to consider the land as absolutely sold—to interfere in no way with the squatters, and patiently to await my decision in respect to the rents. Ihakara, the leading chief of the Ngatiraukawa, whom Mr. Buller saw at Manawatu, and whose mind had been thoroughly poisoned by the representations already referred to, after a lengthened discussion also sent me a lengthy epistle, stating fully the grounds of his dissatisfaction, reporting his interview with Mr. Buller, and concluding with these words: “Our agreement respecting Rangitikei still holds good, because the land is firmly held in your hand, and because the land is in dispute between us and the Ngatiapa. Listen now. The cattle and the sheep of the Pakehas depastured on that land will not be seized or interfered with by us. It will be for you to decide respecting the rents.”

I received similar communications from the principal Rangitane chiefs, and from the chiefs of Oroua.

The present position then of the Rangitikei dispute is simply this: In spite of all attempts to induce them to withdraw from their agreement with me, the leading chiefs of the three tribes express themselves more strongly than ever in favour of the sale of the block as the only means of terminating the quarrel and preventing war, and declare their firm determination to adhere faithfully to all the terms of the agreement, and to leave the matter entirely in my hands.

Before I left for Australia, the understanding was that the questions of price and reserves should be arranged by March or April, when I was to hold a final general meeting of the three tribes. And I quite concur in Mr. Buller’s opinion, that if further tampering with the natives can be prevented, this long pending dispute will in all probability be brought to a satisfactory termination in the course of a few months.

I append a Memorandum on the subject, recently addressed to me by Mr. Buller, also copies of letters addressed to me at various times by the Natives having the greatest interest in the block.

I have, &c.,

The Hon J. C. Richmond,
Colonial Secretary.

I. E. FEATHERSTON,
Superintendent.

Enclosure to No. 1.

MEMORANDUM by WALTER BULLER, R.M., on the Rangitikei Land Dispute.

THE origin of this dispute is of remote date, and is involved in some obscurity.

Formerly it might have been comparatively easy to settle the matter by a reference to Maori law and usage; but the events of the last seventeen years have so complicated the question of title, and have imported so many new elements into the case, that to adjust it by any such reference now is simply impossible.

The Report which I sent in to the General Government on the 31st of August, 1863, explains to some extent the position of the question when the Rangitikei purchase was effected by Mr. Commissioner McLean in 1848, and the manner in which the dispute afterwards developed itself.

In the winter of 1863 the question was brought to an open issue, and the three tribes concerned—the Ngatiraukawa and Rangitane on one side, and the Ngatiapu on the other—no longer contented themselves with merely asserting their conflicting claims, but took active and vigorous measures to enforce them, by building pas and preparing for an inter tribal war. At this time Mr. Fox (the Colonial Secretary) was residing at Rangitikei, and I had the great advantage of his co-operation in the steps which, by direction of His Excellency's Government, I took to prevent an immediate outbreak. In reporting on this subject (August 31, 1863), I forwarded to the Government an able Memorandum by Mr. Fox, in which he expressed very grave alarm and apprehension at the threatening aspect of affairs at Rangitikei.

For some time I held out to the Government a hope that the several parties concerned would consent to an adjustment of their differences by reference to a Court of Arbitration, after the manner adopted in the case of "Tiraru v. Matiu" (Kaipara District). I used every possible effort to induce the leading men to adopt this course. At first the Ngatiraukawa and Rangitane consented unconditionally, while the Ngatiapa (from a determination to oppose the former) refused to entertain any proposal of the kind; and when, after several weeks of harrassing negotiations, the Ngatiapa were brought to acquiesce, the Ngatiraukawa withdrew from their promise and absolutely refused to submit their case to arbitration without a guarantee beforehand of all their principal claims. It was evident, in fact, that neither side would meet arbitrators in a spirit of submission, and that an arbitration attempted under such circumstances would be a mere sham.

Conciliatory measures having thus failed, I obtained the authority of the Government to hold out to the contending tribes a definite threat of armed interference in the event of open hostilities.

The firm attitude taken by the Government produced the desired effect. The Ngatiraukawa and Rangitane, who were exercising on the disputed land acts of ownership of a kind calculated to exasperate the Ngatiapa and to provoke a collision, now retired to their pa, and professed their willingness to submit the case to any court of arbitration the Governor might appoint, and stipulating that the evidence of Mr. McLean and of the Rev. Samuel Williams (who were supposed to be conversant with all the facts of the Ngatiapa cession in 1848) should be taken on the disputed points of the case, and especially as to an alleged compromise in regard to the land south of the Rangitikei River (see my letter to Native Minister, 31st August, 1863). I reported these facts to the Native Minister (22nd October, 1863), and urged immediate action. I pointed out that although there was no longer any danger of an immediate rupture, the presence of two armed parties maintaining a hostile attitude towards each other and asserting conflicting claims, was fraught with danger to the peace of the district, and was a constant source of anxiety to the settlers.

But, owing probably to the critical state of Native Affairs at the North, several months elapsed without anything being done. Impatient of the delay, the Natives were at length settling down into a spirit of sullen discontent with the Government.

At this point in the history of the quarrel, the Superintendent of Wellington, foreseeing the probable consequences of continued delay, offered to meet the tribes, and to attempt himself an investigation of the whole question. The proposal was received with great satisfaction by all the Natives concerned, and (on 14th January, 1864) I reported as follows to the Colonial Secretary:—"I have therefore arranged with the tribes on both sides to meet with Dr. Featherston—the Ngatiraukawa and Rangitane at Tawhiriho, and the Ngatiapa at Parewanui—in order that his Honor may confer with them separately and, with their mutual consent, fix the time and place for a general meeting.

"I have placed my interpreter at his Honor's disposal for the occasion, and shall be ready to assist him in every possible way.

"Considering Dr. Featherston's personal influence with these Natives—their evident anxiety to bring the matter to an final issue, and the frequent 'talk' among them of late in favor of selling the disputed land—I am inclined to hope that his Honor will not only succeed in settling a difficult and vexed question of land title, but will also be enabled to acquire for European settlement the finest and richest block of Native land in this Province."

My own opinion of the course adopted by his Honor at the outset is sufficiently indicated in my report to the Colonial Secretary, (26th April, 1864), on the Pakapakatea Bush affair. The following is an extract:—"Finding that the wholesale disposal of Totara timber by the Ngatiraukawa from land claimed by the Ngatiapa was likely to produce fresh irritation between those tribes, I ordered off the Europeans who were cutting at Pakapakatea, threatening them with prosecution under the Native Land Purchase Ordinance if they should persist.

"This was unquestionably the proper course under the circumstances, and I feel assured that it will receive your approval."

It is highly important that the Rangitikei dispute should not be allowed to revive. Dr. Featherston's treaty with the Ngatiapa had the effect of disarming the combatants and hanging up the whole question for future settlement. It is very desirable in the present unsettled state of the country that the existing position of parties should not be disturbed.

"The impounding of the rents (by the mutual consent of the parties) was intended to prevent further complication of the dispute, and to facilitate the ultimate adjustment of the question as between the Native owners and the European runholders.

"If the Ngatiraukawa were permitted to dispose of valuable timber belonging to the disputed land, the effect of this restriction would be completely destroyed. I have therefore had recourse to the legal remedy for checking the disposal, by threatening the European purchasers with summary punishment.

"However unsatisfactory to the runholders the present attitude of parties may be, I consider that I shall best serve the Government by endeavoring to preserve it.

"The Ngatiapa have made a direct offer of sale and are content to leave the protection of their interests in the hands of the Superintendent. The Ngatiraukawa and Rangitane are equally willing to leave the decision to his Honor, if the Ngatiapa will consent to an investigation of title, and there are already indications of a growing disposition on their part also to sell the Block. If therefore we succeed in keeping in check extraneous causes of irritation (like the one I have described) the Natives on both sides will, when the time for further action arrives, have settled down into a temper of mind far more favorable to a discussion of their case than when Dr. Featherston visited them in January last.

It was not, however, till September, 1864, that the Ngatiraukawa and Rangitane Chiefs decided on putting an end to the feud by selling the disputed block to the Crown. They then wrote to Dr. Featherston, as Land Purchase Commissioner, making a definite offer, and inviting him to meet them at Manawatu. The meeting took place accordingly, and the leading chiefs formally consented to a sale of the block, subject to future terms as to price and reserves. The following extracts from Notes which I made at the time will show the satisfactory position in which the Superintendent left the question at the termination of this interview.

"When Dr. Featherston visited Rangitikei in January last, in consequence of the hostile attitude of the Ngatiraukawa and Ngatiapa, he succeeded in arranging provisional terms, the principal feature in which was that the Ngatiapa entered into an agreement for the sale of the land they claimed, subject however, to the ownership being proved. The Superintendent, as Land Purchase Commissioner, formally accepted this offer, on behalf of the Crown, obtaining at the same time a pledge from the leading chiefs of the tribe that, pending the ultimate settlement of the question, they should exercise no acts of ownership and do nothing that could be construed by the opposing party into a challenge to assert their claims * * *. The dispute, however, was far from being adjusted or settled, for the Ngatiraukawa and Rangitane, while they expressed full confidence in the Superintendent's impartiality, and unanimously consented to refer the whole dispute to his Honor for arbitration, provided the Ngatiapa also would consent to this mode of meeting the difficulty—steadily refused to remove from the land or to recognise the right of sale on the part of the other tribe.

"As a further precaution against a renewal of ill feeling between the contending parties, the Superintendent made the suspension of the rents accruing from the native leases, a condition of the arrangement with the Ngatiapa. To this the other tribes also readily assented, and thus an element of strife was temporarily got rid of; for the land in respect of which the rents were accruing being in dispute, the payment of rent to either party would necessarily disturb the existing arrangement and re-open the question of title. To ensure the fulfilment of this condition, the European tenants or runholders were warned that if they violated the agreement by paying any rent, pending the final decision, proceedings would be instituted against them under the Native Land Purchase Ordinance. Thus then the whole question was hung up, and the tribal irritation for the moment allayed.

"His Honor obtained from each tribe a promise that the peace should not be broken—threatened with armed interference any violation of this promise—and then left the feud to work its own natural cure. Under this skilful treatment, the sore that had so long festered in the very heart of the settled districts gradually healed, and in the early part of September the Ngatiraukawa and Rangitane made a formal peace with the Ngatiapa and exchanged presents. This was soon followed by a determination on their side also to sell the disputed block to the Government, and it was in consequence of an intimation to that effect, and an invitation to meet them, that Dr. Featherston visited Manawatu. On the 12th October, he met eleven representative Chiefs of the Ngatiraukawa and Rangitane Tribes at the Lower Ferry House, Manawatu River, where a number of Natives and a few Europeans had assembled to witness the proceedings. * * *

"Ihakara, one of the principal Ngatiraukawa chiefs and the leader of the late fighting party, formally offered the block for sale to the Crown, subject to terms of price and the definition of reserves. He stated that it would be premature to discuss the terms at present as the whole subject was still under deliberation—that their object in meeting the Queen's Commissioner was to be informed whether their offer of sale would be accepted. The other chiefs in rotation addressed the Superintendent, and each of them in few words endorsed the statements of the first speaker. The Superintendent replied at considerable length. He sketched the history of the quarrel, adverted to the various meetings at Rangitikei at which he had been present, reminded them of the promises they had not only made but strictly fulfilled, congratulated them on the present satisfactory issue of events, and concluded by formally, on behalf of the Crown, accepting their offer of sale subject to future terms.

"His Honor fully explained to them, however, that he could not conclude the transaction till every member of both tribes had consented to the sale and to the specific terms thereof, and that in his negotiations for the block, the legitimate claims of the Ngatiapa would be rigidly respected and upheld.

"Ihakara, afterwards, on behalf of the tribe presented to his Honor a carved club, possessing some historical interest, as a token of their absolute consent to a surrender of the land to the Crown.

"On the following day the Superintendent proceeded to Parewahi (in Rangitikei), the head quarters of the Ngatiapa. Here about 200 Natives had assembled in the Runanga House and were

waiting his arrival. The chief, Te Kepa, addressed his Honor to the effect that the people had assembled 'not to talk but to listen,'—that they had placed their dispute in his hands nearly twelve months before, and had adhered to their promise quietly and patiently to wait his decision.

"Dr. Featherston, in reply, commended them for the strictly honorable manner in which they had fulfilled the conditions of their agreement, and then proceeded to give them a full and circumstantial account of what had passed at the Ngatiraukawa meeting on the previous day. He concluded by congratulating them on the favourable aspect the question had now assumed, and the evident prospect of a speedy and satisfactory adjustment of the dispute by a mutual sale of the block." * * *

Recently, however, certain dishonorable attempts were made to create dissatisfaction among the Natives, and to induce them to repudiate the agreement they had thus deliberately entered into with the Commissioner, on the ostensible ground that the exclusion of this land from the operation of "The Native Lands Act" was an act of oppression, and ought not to be tolerated by them. These attempts to some extent succeeded, and their effect soon developed itself—not merely in a petition to the General Assembly for a repeal of the restrictive clauses of the Act, but in a threatened seizure of settlers' stock to satisfy arrears of rent.

This was the actual state of matters when, in June last, his Honor the Superintendent (with the concurrence of the General Government) requested me to undertake a mission to the tribes concerned, and to attempt by negotiation the prevention of further mischief. The mission was successful, and all the leading men on both sides signed a declaration that they would adhere strictly to the original terms, and that pending the sale of the land, they would in no way molest the settlers or interfere with their stock.

It will naturally be asked "How soon is the purchase likely to be completed?"

To this question it is difficult to give any very definite answer. It will depend in some measure on circumstances over which the Commissioner has no direct control; but I am of opinion, that if the Commissioner could spend the whole of his time in the district, and devote himself entirely to the work, the terms might be finally arranged and the purchase concluded in the course of two or three months. On the other hand, it is very certain that if the Natives are tampered with by those whose interests are opposed to the acquisition of the block by the Government, the negotiations will be impeded, and the cession of the land to the Crown, the only practicable solution of the "Rangitikei difficulty," indefinitely postponed.

Wellington, August 5, 1865.

WALTER BULLER, R.M.

No. 32.

W. MANTELL, Esq., to the Hon. the PREMIER.

SIR,—

Sidney Street, Wellington, 11th September, 1865.

In accordance with my promise of this afternoon, I have the honor to enclose such notes as the time will permit on the Special Report of the Land Purchase Commissioner, dated 21st August ultimo, and to request you to have the kindness to cause a copy of them to be laid on the table of the House of Representatives, and printed with that Special Report, the draft to be returned to me.

You will perceive that I desire that the full report, as I originally saw it, may be laid on that table; and I hope you will oblige me by endeavouring to procure it for that purpose. My reasons for considering that my generosity has been abused, and that I am therefore entitled to demand the original report, will be found in the accompanying notes.

I deeply regret to have had to notice these unprovoked and unwarrantable calumnies; but you, I trust, are aware that I have hitherto shewn all the forbearance that could be expected, and more than could have been required of me.

That forbearance, so far as was consistent with the explanation of the circumstances under consideration, I have striven still to exercise.

I have, &c.,

WALTER MANTELL.

The Hon. the Premier.

P.S.—I would also request that this letter be laid upon the table of the House.

W. B. D. M.

Enclosure to No. 32.

NOTES on the Special Report of the NATIVE LAND PURCHASE COMMISSIONER for the Manawatu Block to the Honourable the COLONIAL SECRETARY, dated Wellington, 21st August, 1865.

On paragraph 3.—I fear that the Commissioner will be found to have over-estimated the extent to which the differences referred to have been removed; but on this point I can form no final opinion until I shall have seen the letters adverse to the sale, for which I moved some weeks ago.

On paragraph 4.—I have taken no action whatever antagonistic to the purchase.

On paragraph 5.—The questions still to be arranged, according to the Commissioner's report, are the most important and the most difficult of arrangement in these land purchases; until the reserves are defined the extent of land to be purchased cannot be known, and until the price is agreed upon the willingness of the owners to sell for the amount which the Commissioner is ready to give cannot safely be depended upon.

On paragraph 6.—It is not true that I censured Mr. Buller for having obeyed his instructions; my censures of that officer, whenever I have had occasion to record them, have been caused by totally contrary action on his part.

The question of the propriety of employing a Resident Magistrate in land purchases, especially in his own district, had been a subject of consideration between Dr. Featherston and myself early in 1863, when that gentleman indignantly informed me that he had heard that Mr. Buller had been instructed by Mr. Dillon Bell (Native Minister) to negotiate for Native lands at Manawatu, and expressed his astonishment and anger at a practice so detrimental to a Magistrate's judicial efficiency, having been permitted by the latter gentleman. In these feelings and opinions I shared, and should

have taken immediate notice of the matter could I have obtained official knowledge of the existence of the alleged instructions and negotiations, and although I am indebted to the supposed existence of such instructions and negotiations for this distinct expression of Dr. Featherston's views on the question, I cannot but think that he was misinformed. I was at the time acting in the South for the Ministry, and especially for the Native Minister; and I cannot conceive that at a time when I was led to believe that all his official correspondence with the South passed through me, Mr. Buller would have complicated my relations with the Natives so far as to have secretly entrusted such dangerous negotiations to one of the least discreet officers of his department. Mr. Buller was quite right to obey Mr. Fox while that gentleman held office, and equally so to obey me when I became once more the head of his department. He could expect no instructions from me but such as would stop his interference in land purchases; but when I spoke with him upon the subject, he, in support of his assertion that his connection with these affairs had been very slight, described it as follows:—The Natives and Dr. Featherston would commence negotiations about a block of land, for which the Commissioner would offer a certain price, say £1000, and the Natives demand, say £10,000. The Commissioner would then propose that the value should be assessed by Mr. Buller, and on the Natives assenting to this reference, that gentleman would ascertain from the Commissioner what price he was really ready to give, say £3000, and give that as his award. Of course I pointed out to Mr. Buller the danger of his losing the respect of the Natives, should the character of his awards ever become known to them; and was myself confirmed in my determination to check the continuance of such traffic on the part of Resident Magistrates. I cannot follow the Commissioner through all the misrepresentations contained in this and the following paragraphs of his report—the records of the Native Office should suffice to rebut the greater part of them. With the brief time at my disposal, it must at present suffice for me to state—

1. That Mr. Buller himself expressed to me his wish to be transferred to Central Wanganui.
2. That he rendered me valuable assistance in re-arranging the boundaries of the districts.
3. That the Magistrate was stationed at Rangitikei as being, according to Mr. Buller and other authorities, the point from which the new district could be most conveniently worked; the presence of two or more Justices of the Peace at Manawatu providing, in some measure, for the administration of justice in that place.
4. That I made the Southern boundary of the Rangitikei District coincide with that of the "Manawatu Block," in order, as far as was in my power, to avoid the inclusion in one district of Natives whose lands were subject to "The Native Lands Act" with those whose lands were excepted from its operation, and in the hope that I might thus in some measure allay the feelings of jealousy which a distinction so much stronger than a mere tribal difference might create.
5. The truth of the allegations. (1.) That the arrangement has proved fatal to the influence of both Magistrates. (2.) That they have created intense dissatisfaction amongst the Natives. (3.) That they have almost ceased to appeal to the Court. (4.) That they treat its decisions with supreme contempt, &c., &c.—can be tested by reference which, I submit, should be immediately made to Messrs. Edwards and Noake. The statements are not supported by any evidence, public or private, which has reached me, and I believe them to be unjustified and unjustifiable.
6. The reduction of Mr. Buller's salary to the maximum allowed to ordinary Resident Magistrates in the Native Department, was made with the knowledge and sanction of the Cabinet. In the copy of this special Report, which I saw on the 3rd instant, and which I trust will yet be laid before the House, Dr. Featherston stated (I cannot of course remember the precise words) "so distasteful to Mr. Mantell was Mr. Buller's success" (in these negotiations) "that a few days only before resigning his office, he knocked off his forage allowance." I regret that this sentence has been now omitted. I cannot condescend to rebut the accusation of having ever felt anything but pleasure at the success of any officer of my department, and regret that the Land Purchase Commissioner should first have so far forgotten himself as to write so disgraceful a calumny, and then have availed himself of the opportunity which I generously allowed him of withdrawing the whole of the very intemperate document under comment, to suppress only such parts as by their more conspicuous intemperateness rendered more easy a clear perception of the character of the remainder.
7. That the minute of my reply on receiving the petition from the "Manawatu Block" Natives was submitted to and approved by the Cabinet, and that a copy of that reply can be obtained from the Native Department. At a later date, I learned from good authority that the more usual course for a Minister to take with regard to a petition which he felt debarred from presenting, was to hand it to some other member for that purpose. I therefore strove to atone for my unintentional discourtesy to the petitioners, by informing them that on its return I would act in accordance with that practice. Eventually, after leaving the Ministry, I received the petition from the Hon. the Colonial Secretary, with a letter, a copy of which can doubtless be obtained, requesting me to present it. With this request I of course complied.
8. Among other insinuations in paragraphs 7 and 8 of the Land Purchase Commissioner's special Report, it appears to me sufficiently evident that he seeks to convey the impression which may or may not exist in his own mind, that some underhand action has been taken by me in concert with those to whom he alludes as "certain parties." Now, I can only say that I have not the remotest idea who these parties are, if indeed there be any such parties; that all my acts in this matter are, I believe, known to my late colleagues; that I am not in the habit of adopting underhand courses; and that if any of my colleagues has the least suspicion of my not having acted openly and fairly in this or any other of my official acts, I charge him at once to declare it.

11th September, 1865.

WALTER MANTELL.

No. 3.

His HONOR the SUPERINTENDENT, Wellington, to the Hon. the COLONIAL SECRETARY.

SIR—

Superintendent's Office, Wellington, 15th September, 1865.

On looking over Mr. Mantell's notes, I feel bound to notice the following mis-statements.

It is not true that I ever informed Mr. Mantell "that Mr. Buller had been instructed by Mr. Dillon Bell (Native Minister) to negotiate for Native lands at Manawatu, or that I expressed my astonishment and anger at a practice so detrimental to a magistrate's judicial efficiency having been permitted by the latter gentleman." On the contrary, Mr. Mantell was well aware that I was availing myself of Mr. Buller's assistance, both in the purchase of the Upper Manawatu Block and in the adjustment of the Rangitikei land dispute, and I have repeatedly acknowledged that the purchase of the Upper Manawatu and the virtual adjustment of the Rangitikei quarrel could scarcely have been accomplished without Mr. Buller's aid.

What I complained of privately to Mr. Mantell was, that Mr. Buller had suggested to Mr. Bell a mode by which a certain block of land at Horowenua could be brought within the operation of the Native Lands Act, notwithstanding that it formed part of the Manawatu Block. The correspondence on the subject between Mr. Bell and Mr. Buller was shown me by Mr. Buller, when he was accompanying me up the Manawatu for the purpose of completing the purchase of the Upper Manawatu Block.

The description of the manner in which my negotiations with the Natives were conducted, which Mr. Mantell says was given by Mr. Buller, is in every respect untrue. No such arrangement as that alleged, ever existed between myself and Mr. Buller. I never offered any price whatever to the owners of the Upper Manawatu. I never proposed or dreamt of proposing that the value of the land should be assessed by Mr. Buller, and I need scarcely add that Mr. Buller would have indignantly scouted and denounced as a gross personal insult to himself, any proposal that after obtaining the consent of the Natives to his fixing the amount of the purchase money, he should "then ascertain from the Commissioner what price he was really ready to give—say £3000—and then give that as his award." I simply requested Mr. Buller when the Natives came to him, to advise them not to make any exorbitant demands; and neither Mr. Buller nor any other person knew what sum I was prepared to give. When the Natives at last offered to take £12,000, I at once accepted their offer.

I have, &c.,

I. E. FEATHERSTON,

Superintendent.

The Hon. the Colonial Secretary.

No. 4.

MEMORANDUM by MR. MANTELL.

In my notes I gave the impression conveyed to me by Dr. Featherston's somewhat mysterious communication in 1863. I see no reason to alter it. As to Mr. Buller's share in recent negotiations, I have only stated the account given by him to me, without pledging myself to the truth of that account. I by no means wish to accuse the Land Purchase Commissioner of any knowledge of the course which Mr. Buller said he pursued. I may add that to the best of my recollection, I was not aware that Mr. Buller was engaged in the purchase of lands during my tenure of office in 1863.

19th September, 1865.

W. MANTELL.

No. 5.

W. BULLER, Esq., R.M., to the Hon. the NATIVE MINISTER.

SIR,—

Wanganui, 27th September, 1865.

Having noticed in the "Correspondence relating to the Manawatu Block" (Sessional Papers E. No. 2, p. 8.) a statement by Mr. Mantell, the late Native Minister, in which I am represented as having said to him what I never had the remotest idea of saying, I trust that you will allow me the opportunity of vindicating myself, and that the Government will do me the justice to add this letter to the printed correspondence now before the Assembly.

Mr. Mantell states that when he spoke to me on the subject of the land purchases in which I had been assisting Dr. Featherston, I described the system of these transactions as follows:—"The Natives and Dr. Featherston would commence negotiations about a block of land, for which the Commissioner would offer a certain price, say £1000, and the Natives demand, say £10,000. The Commissioner would then propose that the value should be assessed by Mr. Buller, and on the Natives assenting to this reference, that gentleman would ascertain from the Commissioner what price he was really ready to give, say £3000, and give that as his award. Of course I pointed out to Mr. Buller the danger of his losing the respect of the Natives, should the character of his awards ever become known to them; and was myself confirmed in my determination to check the continuance of such traffic on the part of Resident Magistrates."

Mr. Mantell evidently refers to a conversation that I had with him at the Wellington Club, in March last. He appears however to have totally misunderstood what I said to him on that occasion, and I certainly did not understand him to refer in any way during that conversation, or at any other time, to the character of my awards.

I deny ever having made the statement alleged either to Mr. Mantell or to anyone else. I had never had the smallest intention of arbitrating between the Commissioner and the Natives. No suggestion of the kind had ever been made either by Dr. Featherston, or by me. I had never pretended to the Natives that I possessed the power of making an award, nor did I know what price Dr. Featherston was prepared to give for the Upper Manawatu Block till the day on which the purchase was effected.

I submit that had my relations with Dr. Featherston in these matters been such as Mr. Mantell appears to have understood from my conversation with him, I should not merely have been "in danger of losing the respect of the Natives," but should have proved myself, on my own confession, utterly unworthy of my office, by having become a party to gross fraud and deception; and I cannot understand how it was that Mr. Mantell, (the Native Minister,) having so interpreted what I said, did not at the time visit my supposed admission of guilt with the severity it deserved. It appears that my conversation simply had the effect of "confirming him in his determination to check the continuance of such traffic on the part of Resident Magistrates."

What I said to Mr. Mantell, was, in effect, this—that so far from the negotiations in which I had been concerned with Dr. Featherston having impaired my influence with the Natives on the West Coast, I was of opinion that my influence had been rather strengthened thereby; that not being myself the Government buyer, and not being in any sense bound to beat the Natives down, as to price, I was able to take an independent position, and to act as much on behalf of the Natives of my district as on behalf of the Government—a position which the Natives seemed fully to understand and appreciate. Mr. Mantell expressed entire disapproval of my views on the subject; and to illustrate my meaning more fully, I described to him the manner in which I had assisted the Commissioner in the purchase of the Upper Manawatu Block.

I considered the Government offer for this Block (£6000) far too low, while I regarded the price which the Natives had continued to demand for several years (10s. or 15s. per acre) ridiculously high.

I sought to convince the Natives that to ask an exorbitant price was practically to postpone indefinitely the sale of the land; while, at the same time, I used every legitimate argument to prove that (provided that the Reserves were ample and well selected) the speedy occupation of the Block by European settlers would be of the utmost advantage to the Natives themselves. I told them plainly that I considered the Commissioner's offer an insufficient one. I promised that if they would make a reasonable offer I would urge the Commissioner to accept it; and, without consulting Dr. Featherston, I myself suggested £12,000 as a fair price for them to ask. Having ultimately agreed to this, they communicated their decision to me, and I reported it to Dr. Featherston on his arrival at Manawatu (from Wanganui). He at once accepted the offer, and I then learnt, for the first time, that he had already in his own mind fixed upon this price (within a few hundred pounds) as the maximum he was prepared to give.

The Natives knew perfectly well that I was not aware beforehand how their offer would be accepted by the Commissioner. Having agreed to the price demanded, Dr. Featherston left me to arrange the details with Meihana and the other sellers.

From the public acknowledgment of my services which His Honor immediately afterwards made in his opening speech to the Provincial Council, I was glad to find that I had rendered good service to the Province; and I honestly felt that in the tedious negotiations which I had undertaken I had acted throughout as the *bona fide* friend and adviser of the Natives in that portion of my district.

I have, &c.,

The Honourable the Native Minister.

WALTER BULLER, R.M.

No. 6.

NOTE by W. B. D. MANTELL, Esq.

I have read Mr. Buller's letter of September 27th.

The conversation described by me took place in my office, and was to the purport already recorded by me. I spoke of it with Mr. Weld at the time, and frequently since.

As I saw nothing in the alleged proceeding incompatible with the principles of the old Native Land Purchase System, I had no reason to doubt that Mr. Buller had acted in the manner described by him, nor did my previous experience of that officer lead me to believe that he would perceive any "guilt" in such a course.

21st October, 1865.

W. B. D. MANTELL.
