

3. A letter dated 19th August, 1867, by the Hon. Walter B. D. Mantell, a member of the Legislative Council of New Zealand, to the Governor of this Colony, in support of the Petition of John Topi Patuki to Her Majesty the Queen.

His Grace the Duke of Buckingham and Chandos. I have, &c.,
G. GREY.

Enclosure in No. 2.

MEMORANDUM by Mr. RICHMOND.

Wellington, 10th October, 1867.

His Excellency is respectfully requested to forward the enclosed copy of a report of a Select Committee of the House of Representatives on the subject of a Petition of John Topi Patuki, and a copy of a letter by the Hon. W. B. D. Mantell on the same subject, for the information of Her Majesty's Secretary of State for the Colonies.

For His Excellency the Governor.

J. C. RICHMOND.

Sub-Enclosure 1 to Enclosure in No. 2.

REPORT of the PETITIONS COMMITTEE on the Petition of JOHN TOPI PATUKI, Chief of the Ngaitahu and Ngatimamoe.

23rd August, 1867.

THE prayer of the petitioner is to the effect "that the House will refrain from passing a Bill "relative to the Dunedin Princes Street Reserve or its rents, or any other law of similar principle "and tendency."

The case of the Princes Street Reserve as viewed by the Provincial Authorities of Otago, is clearly laid down in the Report of the Chairman of the Select Committee upon the Dunedin and Port Chalmers Reserves, in the Session of 1865, (*vide* Appendix to the Journals, F. No. 2,) and the Petition of the petitioner gives a detail of the case as reviewed from his point of view, and consequently it is not necessary that those details should be reiterated in this Report.

The Committee have not had time or opportunity for examining witnesses as to all the allegations contained in this Petition, but they have examined Mr. John Jones, who appears, in the year 1844, when the Otago Block was sold by the Natives of the Middle Island to the New Zealand Company, to have acted as friend to both parties.

That gentleman confirms the statements contained in the first four clauses of the Petition. He declares that he has no knowledge of any such arrangement as that specified in the eleventh clause of the Petition. He states that the Reserve subsequently made by the Governor, when Mr. Mantell was Commissioner of Crown Lands in Otago, contains an area more than four times the area of the two Reserves specified in clause 3 of the Petition, and which were originally reserved by the Natives, and agreed to by the New Zealand Company's Agents in 1844. He also, on being questioned by the Committee, suggested a plan by which the matter in dispute might be amicably, satisfactorily, and justly disposed of.

The Committee are of opinion that the object of the petitioner will be obtained, if a clause is inserted in the Bill now before the House, to the effect that nothing contained in the Bill is to be held to affect or prejudice the claim and title of the petitioner and his tribe.

At the same time I am directed to report that the course suggested in the close of the deposition of Mr. John Jones appears to the Committee to be the best way of settling this complicated affair.

J. CRACROFT WILSON, C.B.,
Chairman.

Deposition of Mr. John Jones.

Mr. JOHN JONES deposed as follows:—

About the year 1844, when the purchase was made for the New Zealand Company, Mr. Daniel Wakefield was engaged on the part of the New Zealand Company, Mr. Symonds on the part of the Government, and Mr. David Scott acted as Interpreter to the New Zealand Company. I was in Wellington at the time, with the principal Chief Towaki, of the Middle Island. We all five proceeded to Otago. I landed them in Port Chalmers, and I went to Waikouati and brought down to Port Chalmers four or five more chiefs. In truth, the whole tribe was on board the ship, but I mention the chiefs because they acted for the tribe. A meeting took place at Port Chalmers. The Natives showed Mr. Symonds and Mr. Wakefield, among other reserves which they pointed out, four spots. There were two spots which they reserved in Port Chalmers, and two in the place where the town of Dunedin now is. Respecting these four, a dispute arose between Mr. Daniel Wakefield and the chiefs. The first portion of the dispute taken up was about a piece of ground which the Natives used as a burial ground in Port Chalmers. Mr. Wakefield gave way to the Natives on that account. They then proceeded to where Dunedin now stands, and selected the spots mentioned in clause three of the Petition, as reserves for boat harbours, distant from one another about two hundred yards. The Natives drew a plan including both those spots, and an altercation took place between Mr. Wakefield and the Natives. Mr. Wakefield insisted upon retaining them, and would not give in to the Natives, and the negotiation come to an end. The whole of the Natives, including Towaki, went back with me in my vessel to Waikouati. Ten days elapsed, and a special messenger from Mr. Wakefield arrived at Waikouati, and I think he brought me a note, requesting me to use my influence with the Natives to return to Port Chalmers, and to bring the Natives over in order that negotiations might be resumed.