

purposes. This circumstance was communicated by him to His Honor the Superintendent, dated 2nd December, 1853, in reply to one from His Honor, covering a resolution adopted by the Provincial Council then in Session, asking for a return of land set apart as Native Reserves, and other particulars concerning the same.

On receipt of this communication by the Council, it was resolved to form a committee to take into consideration the Superintendent's Message No. 12, respecting Native Reserves (*vide* page 47 of Votes and Proceedings of the Provincial Council, Sess. I., 1853 and 1854); and a resolution was subsequently passed (see page 54) which proposed, amongst other things, to memorialize the Secretary of State for the Colonies, praying that the necessary steps may be taken to set this grant aside. (For Memorial, see page 149, same Session). To this an answer was received during the third Session of the Council, informing the memorialists that the necessary facilities would be afforded to try the validity of the grants by *scire facias*. (See Votes and Proceedings, page 8, Sess. III.) The Council, however, resolved that it was inexpedient, for many reasons, to try the validity of these grants in a Court of law; and recommended, in lieu thereof, that under the circumstances it would be better that the General Assembly should be moved to pass an Act to quiet the titles to these and similar grants. (*Vide* Report of Select Committee of the Provincial Council, c. 3-56, Sess. III., of 19th March, 1856.)

The following is an extract from a Report of Messrs. Domett, Poynter, and Brunner, Commissioners of Native Reserves, made in compliance with an order of the House of Representatives, of 13th April, 1858, in reference to the portion of the trust estates situated at Motueka:—

“With regard to the sections retained by the trust, and to be let to Europeans, a great number, as you are aware, were granted by Sir George Grey to the Bishop of New Zealand as an endowment for a school for the Natives of the Polynesian Islands. A special committee of the Nelson Provincial Council, as you may remember, expressed their disapprobation of these grants, but thought they should be declared valid by some competent authority in order to avert the disturbance of titles and interests involved. The question is simply whether the grant was a breach of the equitable trusts upon which the lands were originally reserved, owing to the extension of the educational trusts to the Natives of Polynesia. But were the grants upset on this ground in the Supreme Court, it is probable the Bishop, on behalf of the Natives in the district professing to belong to the Church of England, might still ask for (though he could not demand) a certain proportion of the funds arising from the lands, to be expended in their education or religious tuition. Whether it would be worth while for the sake of the difference between what his Lordship now receives from these lands, and what he would then probably receive, to commence a suit in the Supreme Court to get the grants annulled, is a question the General Government is perhaps in as good a position to decide as ourselves.”

For copies of grants to the Bishop of New Zealand, *vide* Votes and Proceedings of Provincial Council, Session XIX. Correspondence, &c., page 15. It will have to be borne in mind that the whole of the land comprised in these grants to the Bishop is not entirely Native Reserves. Subjoined is a schedule showing the several portions appropriated out of the estate.

No. of Section.	Area in Acres.	Where situate.	Block or Section as granted.	No. of Acres appropriated out of each Section.			Total Appropriation.		
				A.	R.	P.	A.	R.	P.
6	50	Motueka	6	50	0	0	50	0	0
22	50	”	22	50	0	0	50	0	0
137	50	”	I	100	0	0	100	0	0
138	50								
145	50	”	M	29	0	32	29	0	32
146	50								
147	50	”	I	4	2	29	11	2	29
157	50								
159	50	”	K	7	0	0	7	0	0
160	50								
161	50	”	F	102	0	0	102	0	0
162	50								
163	50	”	H	41	0	0	41	0	0
164	50								
181	50	”	L	34	0	24	34	0	24
218	50								
219	50	”	...	500	0	0	500	0	0
220	50								
221	50								
222	50								
223	50								
240	50								
241	50								
242	50								
243	50								
Total Area appropriated									

MEMORANDUM.—153 acres is the total of Crown Land included in the grant to the Bishop.
3rd January, 1870.

ALEXANDER MACKAY.