

CORRESPONDENCE

RELATIVE TO THE

PURCHASE FROM THE NATIVES

OF THE

FORTY MILE BUSH, HAWKE'S BAY.

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

WELLINGTON.

—
1870.



CORRESPONDENCE RELATIVE TO THE PURCHASE FROM THE NATIVES OF THE
FORTY MILE BUSH, HAWKE'S BAY.

No. 1.

His Honor J. D. ORMOND to the Hon. D. McLEAN.

SIR,—

Napier, 10th September, 1869.

During my late stay in Wellington, I had the honor to bring under your notice that the Deputy Superintendent of this Province had directed the cessation of negotiations which were in progress for the purchase of the block of land known as the Forty Mile Bush from the Native proprietors by the Provincial Government. This course was forced upon Mr. Rhodes from the fact that the Loan Fund, from which it had been proposed to provide funds for the purchase of the land, was almost exhausted.

I am informed by Mr. Locke, the gentleman who was conducting the purchase, that at the time the negotiations were stopped the arrangements with the Native owners were in a forward state, and that no difficulty stood in the way of the completion of the purchase of the block, containing about 250,000 acres. It was suggested to me by the Deputy Superintendent that I should urge the General Government to complete the purchase which the Provincial Government was unable to carry out; and I accordingly brought the subject under your notice, but in the pressure of business at that time it could not receive consideration.

Since my return here I have made some inquiry into the position of the arrangements, and I find that the negotiations for the purchase of the block were in a very forward state; that the Province has expended a considerable sum in survey and other preliminary expenses, and that the completion of the purchase was comparatively easy; also, that Mr. Locke has not closed the negotiations with the Natives, so that they can be reopened at once, if thought desirable.

My object now in addressing you upon this subject is to state my opinion, that it is of great general importance to secure the district in question for settlement; and that the establishment of a body of colonists in so central a position, on what must be the main line of road connecting the northern settlements with Wellington, is really a matter of Colonial interest.

The block in question is peculiarly suited for settlement; and the success of the sister district of the Wairarapa shows that the small proprietor finds that kind of country peculiarly suited to his wants and requirements; whilst in the magnificent timber which the block contains there is every prospect of success to the capitalist who may seek investment there.

In a political point of view, the establishment of a European settlement at the Forty Mile Bush would be valuable, inasmuch as it would necessitate the completion of the main lines of road between the East and West Coasts, and also between Wairarapa and Hawke's Bay.

In the case of the road between the East and West Coast, only some thirty miles requires to be made to complete a thoroughly good road (there is at present a fair bush road) between Manawatu on the West Coast and Napier on the East, whilst a further distance of about twenty miles of road would give a coach road from Wellington *via* the Wairarapa to Napier; also the planting a settlement of Europeans midway between the different districts I have named could not but have beneficial effect in securing the permanent peace of the Colony.

For all these reasons I would urge that it is of Colonial importance that the opportunity of securing this district for settlement should not be lost. The Provincial Council of Hawke's Bay would I feel certain do everything in its power to promote the different objects I have referred to; and if the General Government could see its way to provide funds for the purchase of the land, it might be possible to take advantage of the services of the Commissioners about to proceed to England to secure the settlement of the block under special arrangements with an English Company, who might have the land handed over to it for the sum it may be bought for from the Natives, on condition that the Company settle it from England, and provide funds for connecting it by roads with the settled districts in its vicinity.

A sum of about £10,000, in addition to what has already been spent, would, I believe, secure the purchase of the block now under negotiation, and with little difficulty the purchase could be extended to the Wairarapa.

The Provincial Council will shortly now be called together, and I shall be much obliged if you will acquaint me whether the General Government will be able to take action in the direction I have suggested, as, if so, the Hawke's Bay Council could be asked to give their assent and assistance.

I have, &c.,

J. D. ORMOND.

The Hon. the Native Minister, Wellington.

No. 2.

The Hon. W. GISBORNE to His Honor J. D. ORMOND.

Colonial Secretary's Office,

SIR,—

Wellington, 25th September, 1869.

I have the honor to acknowledge the receipt of your letter of the 10th instant, addressed to the Native Minister, in which you state that negotiations for the purchase of the Forty Mile Bush were interrupted owing to the want of funds at the disposal of the Provincial Government of Hawke's

Bay to carry them on, and urge that the Colonial Government should undertake the purchase which you represent as important for political reasons, and as eligible for the location thereon of Immigrants who might be sent by an English Company, under arrangements made by the Commissioners about to proceed home. You also state that a sum of about £10,000, in addition to what has already been spent by the Province of Hawke's Bay, would, in your opinion, secure the purchase.

In reply, I have to state that, though the Government fully appreciates the importance of completing the purchase of this land with a view to its settlement, it has no funds at its disposal for the purchase of Native Lands. The only sum available for expenditure on account of settlement in the Northern Island is for public works, such as roads.

The question of Immigration will be one of the subjects submitted to the Commissioners who go to England; but the Government has no power to conclude any agreements involving public expenditure in respect of it without the previous sanction of the General Assembly.

It is the wish of the Government to prepare and submit if possible to the Assembly at its next Session, a comprehensive plan of Immigration; but until such a scheme shall have been matured and submitted to the Legislature, and shall have received their sanction, it will not be in the power of the Commissioners to do more than to make careful inquiries in England, and submit suggestions for the guidance of the Colonial Government in preparing such plan.

His Honor J. D. Ormond.

I have, &c.,
W. GISBORNE.

No. 3.

His Honor J. D. ORMOND to the Hon. W. GISBORNE.

SIR,—

Superintendent's Office, Napier, 6th October, 1869.

On the 10th September last, I had the honor to address you in respect to the purchase of the block of land known as the Forty Mile Bush; and on the 25th of the same month you replied that the Government appreciated the importance of completing the purchase, but had no funds at its disposal for the purchase.

I took advantage of the recent sitting of the Provincial Council to bring the subject under notice, and I now enclose copy of a Resolution which was unanimously agreed to by that body. I shall be much obliged if you will give the subject favourable consideration, and by your informing me whether the Government will assist the Province by making the necessary advance to complete the purchase of the block. I think that perhaps a sum of £8,000 would be sufficient to secure a block of about 250,000 acres, the negotiations for which are far advanced, and the non-carrying out of which is almost a breach of faith with the Native owners. The money might be secured by being made a first charge upon the land; and it would be my wish to carry out the proposal contained in my letter of the 10th September, and endeavour to obtain the services of the Commissioners to arrange with an English Company to take the block at cost price, on condition that it was settled and connected by roads with the settled districts in its vicinity.

I trust the Government may see its way to assist the Province in the way proposed.

I have, &c.,

J. D. ORMOND,
Superintendent.

The Hon. the Colonial Secretary, Wellington.

Enclosure in No. 3.

Resolution of Hawke's Bay Provincial Council.

THAT this Council having considered Message No. 6, and accompanying document, from His Honor the Superintendent, on the subject of the purchase of the block of land known as the Forty Mile Bush, Resolve:—

That it is highly desirable that the completion of the purchase should be effected, and the district in question settled.

That the recommendation of the Superintendent that the settlement of the block might be advantageously arranged in England by the Commissioners who are about to proceed there on business for the Colony, be adopted.

That the Superintendent be requested to communicate with the Commissioners, and arrange the conditions upon which the block may be handed over to an English Company for settlement, and the Province secured from pecuniary loss by the transaction.

That the Superintendent be further requested to put himself in communication with the General Government, with a view to obtaining the necessary sum to complete the purchase of the block; the said sum to be accounted an advance, and made a first charge upon the proceeds of the sale of the land.

That the Superintendent is further requested to urge upon the Government that the political importance of the settlement of this district is sufficient to justify them in making the advance in question, and to impress upon the Commissioners the service they will render to the Colony should they consent to endeavour to carry out the proposed negotiation.

No. 4.

His Honor J. D. ORMOND to the Hon. D. McLEAN.

SIR,—

Napier, 7th May, 1870.

I have the honor to inform you that the negotiations with the Native owners of the Forty Mile Bush have been successfully concluded by Mr. Locke, who has arranged with the Natives for the purchase of three separate blocks, which he informs me include the whole of the land situate

between Wairarapa and Ruataniwha, Puketoi, and the Manawatu purchases, with the exception of a block adjoining the Ruataniwha Plain, respecting which there is some difference among the Natives themselves.

I enclose herewith a copy of the Memorandum of Agreement made with the Natives. There are three separate agreements for the three distinct blocks which are agreed to be sold, and I append a description of the boundaries of each block, and of the names of the Natives who agree to sell in each case. You will see that a sum of only £50 upon each block has been paid, and I consider Mr. Locke has been excessively fortunate in arranging for the sale on so trifling an advance. No further action can be taken until the Native Land Court has sat and adjudicated upon the Native ownership, but I am assured there will be no question raised as to the ownership of the blocks now treated for; the question of price has been left unsettled until the Natives are in a position to give a legal title to the land.

The negotiations for the block adjoining the Ruataniwha are being continued, and I think will be settled by the time the Native Land Court sits; the principal difficulty is a dissatisfaction on the part of some of the owners of this block at something connected with the old Porangahau purchase. If it could be done, it would be advisable to so far open up that question as to see whether any claim had been overlooked, and in such case to meet it. I believe if that were done all opposition to the sale would cease, and I shall be glad to hear your opinion upon the advisability of doing so.

It is unnecessary for me to say that I have promoted the purchase of this large block by every means in my power, hoping as I do that it may be used in connection with Immigration from Great Britain, and speedily become a prosperous and settled district, permanently securing the southern settlements of this Island against further disturbances.

It has occurred to me that as the sale is proposed to be made to the Crown, the purchase could be concluded without any previous inquiry by the Native Land Court into the title. If this can be done it would avoid any difficulty being thrown in the way of the conclusion of the purchase by the interference of Europeans in the way I have before referred to. I am sending a copy of this letter to the Hon. the Colonial Secretary, with the view of obtaining an opinion from the Hon. the Attorney-General on the point I have last raised.

The Hon. the Defence Minister, Auckland.

I have, &c.,

J. D. ORMOND.

Enclosure 1 in No. 4.

COPY OF AGREEMENT.

MEMORANDUM of Agreement made this twenty-ninth day of April, 1870 (one thousand eight hundred and seventy), between the undersigned Aboriginal Natives of New Zealand of the one part, and Her Majesty Queen Victoria of the other part, whereby the said Natives agree to sell to Her Majesty, the said Queen Victoria, all that parcel of land situate at Manawatu, and known by the name of "Harite" and "Maharahara," and to take all necessary steps for making a good title to the same through the Native Lands Court; and, so soon as a certificate of title is granted, to execute and cause to be executed by all the interested person or persons a good and legal Deed of Conveyance to the Queen Victoria of the purchase of the above-named blocks; the purchase money to be paid in manner following, namely, the sum of fifty pounds to be paid to the said on or at the time of their signing this agreement, and the balance to be paid on the execution of all necessary Deeds of Conveyance to Her Majesty Queen Victoria by all the interested persons, Her Majesty the Queen to have the right of immediate occupation of the said land, but without any liability or claim on account of such occupation.

The boundaries of the aforesaid block of land are written on the back of these presents.

PENE HAKOPA.
HEKETA TE AWE, his \times mark.
HOHEPA PAEWAI.
NIREHUA MATIU.
KARAURIA MATUAKAINGA.
IHAI TE NGARARA.
WIRIHANA KAIMOKOPUNA.
URUPENE PUHARA.
PATU TUHIA.
HURU TE HIARO.
MANAHI PAEWAI.
HIRAKA TUHUA.
HEMI TE URANGA.
WAIONE.
MERE WHAKARONGO, her \times mark.

Signed by the said Pene Hakopa and others, the above agreement having been first translated and explained to them in the presence of

S. LOCKE.

RICHD. GOLDSMITH, Carpenter, Napier.

KARAITIANA.

These are the boundaries of the blocks of land known by the name of Harite and Maharahara, commencing at Taumata a-te-ao, and running along the boundary line of land which had been granted to Natives on to Mangahouhoui, thence running on to Rapurapuwai and Ruakeretahi, thence following the course of the river to Te Koao Tawhairiao and Maharahara, thence running over the hill to the boundary of Government land at Puhangina, thence turning and running on to Mangaraupu on to Ruakiore, thence on to Waarite, thence along the boundary line of the above said piece of land

granted to Natives, on to Tuwhaia, and on to Wangarewa and Mangatua to Taumata-a-te-ao at the commencing point.

The boundaries of the said block of land called Puketoi commence at Takiao, running on from there to Pongatapahia, on to Manuepia, on to Te Uru-o-Mangatore, on to Te Whata Tuara to Puketoi at the boundary line of Government land, thence along that line on to Te Arawharaunga, to Matahiwi, to Pahakia, to Te Kawakawa, to Te Ruatupapaku, to Nga-Mahanga-a-ruatea, to Mangapapa, and on to Heretaunga, falling in to Tiraumea River, thence following that river towards Manawatu, on to Makino, to Te Apiti, to Kohinui, to Makairo, to Piwha, and on to Moana, coming out at Manawatu; thence turning at Manawatu running on to Paekitaranaki, on to Huaronui, to Te Rata, to Matawhaua, and extending on to and meeting at commencing point at Takiao.

RAPANA PAKAHA, his \bowtie mark.
 WIRIHANA MOKOPUNA.
 HURU TE HIARO.
 PAINETU TE HORO.
 HOHEPA PAEWAI.
 KARAURIA MATUAKAINGA.
 PENE HAKOPA.
 MAKARINI WHAKARONGO.
 HEKETA TE AWE.
 NERIAHA MATIU.
 IHATA TE NGARARA.
 WAIONE.

Signed by the said Rapana Pakaha and others,
 in presence of

S. LOCKE.
 RICHARD GOLDSMITH, Carpenter, Napier.
 KARAITIANA.

The boundaries of Te Ahuaturanga block commence at Poraka, from thence on to Kereru, thence on to Pukerangi, thence on to Taumata-o-te-ao, from thence turning towards the Ruahine, running on to Te Manga-atua, from thence on to Mangarewa, to Otuwahaia, Wharite, and Te Raikipuhanga, turning from there and running on to Makahika to Te Koroatui, Makino, and Manawatu, turning from thence and running on to Hukaawai, Mangatarere, Potae, to Te Waha-o-te-Kopi, to Otuparua, Roimata, Te Karaka-a-te-Makohu, Te Ruakarika, Taumata Kowau, Te Rongo-a-pohia, Te Potaka, and extending on and meeting at commencing point at Kereru.

NERIAHA MATIU.
 HOHEPA PAEWAI.
 MANAHI PAEWAI.
 HEKETA TE AWE.
 PENE HAKOPA.
 WIRIHANA KAIMOKOPUNA.
 HURU TE HIARO.
 URUPENE PUHARA.
 IHATA TE NGARARA.
 KARAURIA MATUAKAINGA.
 HEMI TE URANGA.
 WAIONE.
 HAKUIRA PAEWAI, his \bowtie mark.
 RATA TE HUIA.
 HIRAKA TUHUA.
 PATU.
 PAIRETE TE HORO.
 HANI HAUERANGI, his \bowtie mark.

Signed by the said Neriaha Matiu and others, in
 the presence of

S. LOCKE.
 RICHARD GOLDSMITH, Carpenter, Napier.
 KARAITIANA.

No. 5.

The Hon. W. GISBORNE to His Honor J. D. ORMOND.

Colonial Secretary's Office,
 Wellington, 18th May, 1870.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 12th instant, enclosing copy of a letter sent by you to the Hon. the Native Minister, reporting the arrangement made for the purchase of the Forty Mile Bush.

In reply, I have the honor to inform you that the Government is advised that the Queen's power to take a surrender of Native rights still exists. But it should be considered, in any case where that course is proposed to be taken, whether the title is so clear and indisputable as to render it safe to proceed without the adjudication of the Court.

The General Government Agent, Napier.

I have, &c.,
 W. GISBORNE.