

1874.

NEW ZEALAND.

LAND PURCHASES, MIDDLE ISLAND.

(REPORT BY MR. ALEX. MACKAY.)

Presented to both Houses of the General Assembly by command of His Excellency.

LAND PURCHASES IN THE PROVINCE OF NELSON.

No. 1.

MR. ALEX. MACKAY to the UNDER SECRETARY, Native Department.

SIR,—

Native Reserves Office, Nelson, 1st October, 1873.

In compliance with the purport of your minute of the 23rd ultimo, on the annexed correspondence received from Pirimona Matenga and others, laying claim to lands situated in the interior of the Province of Nelson, I have the honor to furnish the following information, together with a map to illustrate the several purchases that have been effected with the Natives, to each of which a distinctive letter has been allotted; and in order to make matters as intelligible as possible, the whole of the transactions will be dealt with *seriatim*, commencing with the New Zealand Company's purchases in 1839.

A.—New Zealand Company's Purchase.

This purchase, was investigated by Mr. Commissioner Spain in June, 1843, and land to the extent of 151,000 acres awarded to the Company in the Nelson Settlement, in various quantities, in the districts of Nelson or Whakatu, Waimea, Moutere, Motueka, and Massacre Bay, saving and excepting one-tenth of the quantity awarded, and all the pas or burial-places and grounds actually in cultivation by the Natives.

The land that formed the subject of the aforesaid investigation was claimed to have been purchased by the New Zealand Company from the Natives under two deeds of purchase. The first of these deeds was executed at Kapiti on the 25th October, 1839, by the chiefs Rauparaha, Rangihacata, Hiko, and others, members of the Ngatitōa Tribe, and the second was executed at Queen Charlotte Sound on the 8th November, 1839, by a large number of Natives of the Ngatiawa Tribe. Besides the articles alluded to in the above-mentioned deeds as forming the consideration paid by the Company to the signing parties for these lands, Captain Wakefield, on his arrival at Nelson with the preliminary expedition, assembled the resident Natives of the several districts enumerated above, and made them presents of merchandise to the value of £980 15s. A further payment of £800 was also made to the same Natives by the Company's Agent in the presence of Mr. Spain. This amount was appropriated as follows:—To the Motueka Natives, £200; to the Whakatu or Nelson, £200; to the Ngatiawa, £100, and a special payment of £10 to Ngapiko, a chief of Motueka; and £290 was set apart for the Natives of Massacre Bay. These people, however, declined to receive the amount allotted them, and the matter remained unsettled until 1846, when, through the aid of the Hon. Mr. Sinclair, Colonial Secretary, the Church and the Wesleyan missionaries, the contending parties were at last induced to complete the sale to the Resident Agent of the Company.

Deeds of release were signed on the 14th August, 1844, by the Nelson, Motueka, and Ngatiawa claimants, relinquishing their claims to land at Whakatu (Nelson), Waimea, Moutere, Motueka, Riwaka, and Titapu (Massacre Bay) excepting their pas, cultivations, burial-places, and reserved lands.

The natives of Massacre Bay, on payment to them of the £290 on the 23rd May, 1846, also signed a release to the New Zealand Company of all their claims to land at Tata, Motupipi, Takaka, Rangiata, Puremuiaia, Aorere, and all other places in the aforesaid district.

The reservations alluded to in the several deeds of release under the head of pas, burial-places, and cultivations were subsequently laid off afresh in 1847, under the supervision of Mr. Sinclair, P.M., on behalf of the Government, and additions to the size of the parcels were made at the several places, as the number and requirements of the people rendered it necessary. The position and acreage of these reservations, as well as the New Zealand Company's "tenths," are more particularly described and delineated on the plans and schedules annexed to the second grant to the New Zealand Company, executed by Governor Grey, August 1st, 1848.

B.—Wairau Purchase.

This tract of country was acquired by the Government in 1847 from the Ngatitōa Tribe for the sum of £3,000, to be paid by annual instalments of £600, carried over a period of five years. The deed of cession was signed at Wellington, on the 18th March, 1847, and comprises the whole of the block.

Two large blocks (marked C on the plan), containing an approximate area, in the aggregate, of 117,248 acres, were excepted from sale. These blocks, however, were subsequently included in the second sale to the Government in 1853, the Natives only retaining 2,939 acres of the quantity for themselves.

D.—Waitohi Purchase.

This block was acquired by the Government in 1850 from Ropoama Te One and other members of the Ngatiawa Tribe for the sum of £300, and certain other concessions stipulated in the deed, namely, the surveying of a village at Waikawa, and the erection of a church. A reserve of 2,500 acres was also set apart for the Natives at Waikawa (marked E on the plan.)

F.—Waipounamu Purchase.

This purchase comprises the whole of the country coloured red on the plan, the negotiations for the acquisition of which are contained in the under-mentioned deeds, namely,—

(1.) Deed of sale executed at Wellington on the 10th August, 1853, by the Ngatitua Tribe, conveying to Her Majesty all their claims to land in the Middle Island in consideration of the sum of £5,000; £2,000 to be paid down, and the balance by instalments of £500, carried over a period of five years. Certain reservations of land were to be made for their relatives, the extent and position of such lands to be determined by the Governor, together with certain other lands promised by the Governor to be granted to some of their chiefs. In fulfilment of the promise to set apart land for the Natives, 2,939 acres were subsequently reserved in the Wairau district, and two sections of 50 acres each were granted to Te Tana Pukekohatu and Wiremu Te Kanae respectively.

(2.) The second deed is a conveyance to Her Majesty by the chiefs and people of the Ngatiawa Tribe, at Taranaki, of their claims to certain lands in Queen Charlotte Sound and elsewhere, for the sum of £200.

(3.) The third deed is a receipt for £500, being a final payment to certain members of the Ngatiawa Tribe for the whole of their claims to land in the Middle Island.

(4.) The fourth is a receipt for £100, paid to certain chiefs of the Ngatiawa, for claims to land at Gore's Harbour and Totaranui, Queen Charlotte Sound.

(5.) The fifth is a receipt for £200, paid to members of the Ngatiawa Tribe, for the final surrender of their claims to land at Te Awaiti, Queen Charlotte Sound.

(6.) The sixth is a receipt for £2,000 paid to the Ngatitua Tribe, being a portion of the £5,000 agreed on in the deed of sale executed on the 10th August, 1853, the land specified therein to be finally handed over to the Crown when the reserves were set apart for their relatives.

(7.) The seventh is a deed of sale by the Ngatiruru, Ngatitama, and Ngatiawa Tribes, residing in the then Province of Nelson, ceding all their undisposed of claims to land in the Middle Island to Her Majesty for the sum of £600, a final payment for all their claims. A block of about 40,000 acres at West Whanganui was excluded from this sale, and is still retained by the Natives. At the northern extremity of this block, between it and the southern boundary of the Pakawau purchase (H), is a block of land marked J on the plan, said to have been included in the sale of the surrounding land to the Crown without payment, in consideration of which Riwai Turangapeka, one of the principal men of the Ngatiruru Tribe, subsequently received value from the Government to the amount of £100.

(8.) The eighth is a receipt for £100 paid to the Rangitane Tribe, for the cession of all claims to land in the Middle Island, excepting the reserves set apart for them in the Wairau.

(9.) The ninth is a deed of sale by the Ngatiawa Tribe, residing in Queen Charlotte Sound, conveying all their claims to land in the Middle Island to Her Majesty for the sum of £500, saving and excepting certain reservations marked on the plan attached to the deed of sale. These reserves contain in the aggregate 8,500 acres.

(10.) The tenth is a deed of sale by the Ngatikua Tribe, ceding all their claims to land in the Pelorus, Kaituna, and all other places in the Middle Island, to the Crown, in consideration of the sum of £100, and certain reservations of land. Land to the extent of 988 acres was the quantity laid off in fulfilment of the aforesaid condition. Four town sections were also allotted to Hura Kupapa and Manihera Te Maihi, two of their principal men.

(11.) The eleventh is a deed of sale to Her Majesty by the Ngatikoata Tribe, ceding all claims to land within the boundaries of the block formerly sold to the Ngatitua; the Island of Rangitoto (D'Urville's) and certain reserves on the mainland excepted. The reserves contain an approximate area of 1,400 acres. Besides the Island of Rangitoto and the block of 40,000 acres excepted from sale at West Whanganui, a block of 7,000 acres was also excluded at Wakapuaka. Wiremu Katene Te Manu, and the section of the Ngatitama residing there, objected to the sale of the Waipounamu block by the Ngatitua and their relatives in the North Island, and declined to give up any portion of the land held by them at Wakapuaka within the boundary determined on in 1845 between the Natives and the New Zealand Company's Agent, the River Wangamoa forming the eastern boundary, it being no more than sufficient for their own subsistence. Neither would they agree to receive any of the purchase money; and as the land in their possession was not of greater extent than they really required, it was not deemed prudent to urge a settlement of this particular question upon them. It was, however, arranged that, should they ultimately consent to surrender to the Government any portion of the aforesaid block, a sum of £100 should be paid them as their proportion of the purchase money. No change, however, has ever taken place in their view of the matter, and the land remains with them as before.

(12.) The twelfth is a receipt from a member of the Ngatiawa Tribe (Rei Ngamho) for claims to land in Queen Charlotte Sound, for which the sum of £19 was paid him; and this brings the various transactions pertaining to the purchases effected within the Waipounamu Block to a conclusion. The total amount paid to the ceding tribes, including three small sums not enumerated in the foregoing recapitulation of the various purchases, was £6,467.

H.—Pakawau Purchase.

This purchase was effected in 1852 by Major Richmond for the sum of £550 and the necessary reservations of land for the resident Natives—in all, 230 acres. The boundary of the block acquired from the Natives under the aforesaid terms commences at the northern end of the Company's land in Massacre Bay, at a place called Opu, and extends in a north-westerly direction to Toiere, at West Whanganui; the whole of the country to the north of this boundary, including the Sandspit (Onetana) being included in the purchase.

Plan

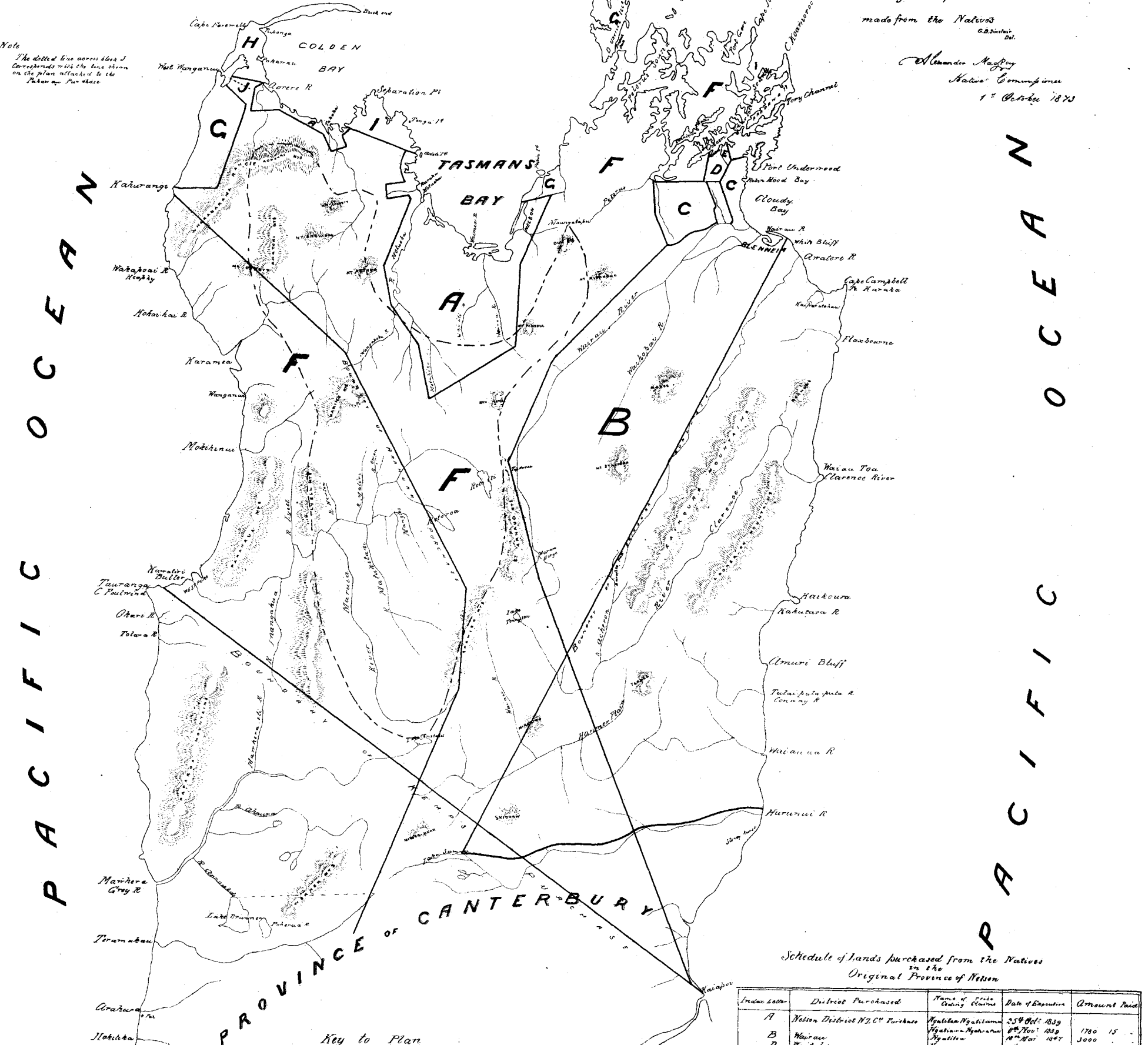
of the
ORIGINAL PROVINCE

OF NELSON

Showing the purchases
made from the Natives

Alexander Mackay
Native Commissioner
1st October 1875

Note
The dotted line across the
Coast indicates the line shown
on the plan attached to the
Pakaruau Purchase.



Key to Plan

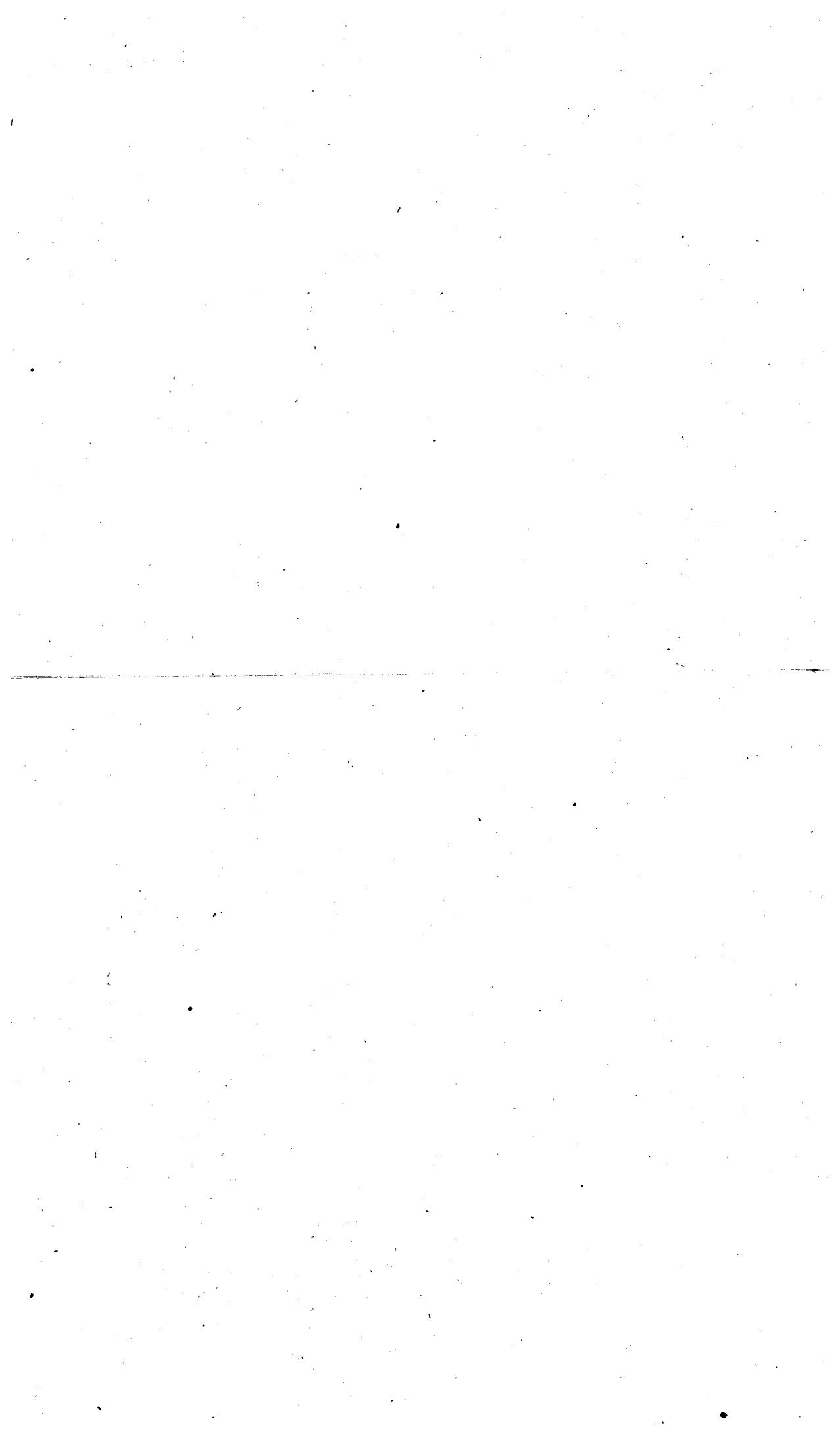
- A** New Zealand Company's Purchase
- B** Wairau Purchase
- C** Land excepted from Sale out of the Wairau Block by the Ngaitara tribe in March 1857 but subsequently included in the final sale to the Crown in August 1858
- D** Waitohi Purchase
- E** Land reserved for the Natives adjacent to Waitohi Block
- F** Waipounamu Block & subsequent purchases
- G** Lands excepted from Sale out of the Waipounamu Block at Karapuna, Wairua Island and Mt Wanganui at the final extinguishment of Native claims in 1855, 6
- H** Pakaruau Purchase
- I** Separation Point
- J** Block of Land intervening the Pakaruau purchase and land sold by the Ngahrarua and Ngaitama tribes to the Government in November 1855 for which Korau Pungapoko subsequently received value to the extent of £100 from the Government in the shape of 1 pair of Bullocks, 2 cows, a cart, and a plough

Schedule of Lands purchased from the Natives
in the
Original Province of Nelson

Index Letter	District Purchased	Name of Tribe (Buying Claims)	Date of Purchase	Amount Paid
A	Nelson District N.Z.C. Purchase	Ngaitara Ngaitama	25 th Oct. 1859	1750 15
B	Wairau	Ngaitara Ngahrarua	8 th Nov. 1859	3000
D	Waitohi	Ngaitara	14 th Mar. 1857	300
F	Waipounamu	Ngaitama	14 th Mar. 1850	300
	Waitohi Wairau & Arapaho	Ngaitara	11 th Aug. 1853	2000
	Queen Charlottes Sound other places in the Province of Nelson	Ngaitama	2 nd Mar. 1854	200
	Geese Harbour & Taharua 905	Ngaitara	15 th Mar. 1854	100
	Te Awairi 905	Ngaitara	26 th Nov. 1854	200
	Waipounamu Block	Ngaitara	13 th Dec. 1854	2000
	Wairau	Ngaitama	10 th Nov. 1855	600
	Queen Charlottes Sound	Rangitane	17 th Feb. 1856	100
	Waitohi & Hoiere	Ngaitara	9 th Feb. 1856	300
	Maukapoko	Ngaitara	16 th Feb. 1856	100
	Waitohi	Ngaitara	11 th Dec. 1855	1
	Waitohi	Ngaitara	22 nd Jan. 1856	36
	Queen Charlottes Sound	Ngaitara	22 nd Jan. 1856	11
	Crosswell & Pateras	Ngaitara	8 th Mar. 1856	19
H	Pakaruau	Ngaitara Ngaitama	5 th Mar. 1856	100
I	Separation Point	Ngaitara Ngaitama	13 th May 1852	550
	Waitohi N.Z.C. Block	Ngaitama	7 th Mar. 1856	150
	Corere N.Z.C. Block	Ngaitama	6 th Mar. 1856	60
	Waitohi	Ngaitama	7 th Mar. 1856	110
	Arakura	Ngaitara	23 rd Mar. 1855	300
	Arakura	Ngaitara	21 st May 1855	200

Note The land included within the blue line on the East and the red on the West Coast, indicates the territory acquired from the Ngaitara tribe within the boundaries of former Purchases
The land included within the dotted line — — — is the country now claimed by the Natives

Note Total amount expended by the New Zealand Company and the Government in the purchase of Land enumerated in the foregoing Schedule £18,912 15 0
A large portion of this Purchase is situated in the County of Westland



I.—*Separation Point.*

It having been ascertained during the final extinguishment of the claims of the Northern tribes in 1856, that a block of land in this district supposed to have been included in the territory sold to the New Zealand Company was still in the hands of the Natives, it became necessary to enter into arrangements with them for the final surrender of their claims. The block claimed included all the country lying to the north of a line drawn from Whenuakura, in Astrolabe Roads, to Te Hori-hori, a place near the north-eastern extremity of the New Zealand Company's survey at Motupipi. This claim was finally extinguished on the 7th March, 1856, by the payment of £150 to the Ngatitama and Ngatirarua Tribes. Besides the necessary reservations for the use and occupation of the Natives, 100 acres of land were given to Te Aupouri, the principal chief of the Ngatiraruas (since vested in his two sons, Pirimona and Raniera Matenga, under Crown grant); and 100 acres were also given to Paramena Haereiti, the principal chief of the Ngatitamas in that district, under a Crown grant.

New Zealand Company's Award.—At Motupipi and Takaka, within the New Zealand's Company's block, a dispute had existed since the year 1846, in consequence of some of the claimants not having received a share of the money awarded by Mr. Commissioner Spain. This difficulty was ultimately adjusted by the payment of £60 in cash, and the reservation of 150 acres of land at Takaka, to be apportioned as follows, viz.:—To Meihana Te Ao, 50 acres; Rameka Te Paeka, 20 acres; Paramena, 20 acres; Henare Te Ranga, 20 acres; Pirimona Te Aupouri, 20 acres; Hamiora Pito, 20 acres. In consideration of the above-named payment, the claimants executed a deed of sale to the Crown, conveying all their interest in lands at Poharo, Motupipi, Takaka, and Rangiatia—namely, all the places formerly sold by Te Aupouri to the Company for £290.

A similar difficulty also existed at Aorere, for which a payment of £110 was made to the claimants, members of the Ngatitama and Ngatiawa Tribes, for the final surrender of all their claims to land at Anapu, Aorere, Papakohai, Te Parapara, Tukurua, Onekaka, Te Waikaha, and all their cultivations at Tukurua. The following reservations were also made for the use of the Natives:—At the Parapara, 330 acres for Wiremu Katene and Henare Te Ranga; and at Aorere a section of 150 acres was given to Tamati Pirimona; and 100 acres to Pouka Tanganui. The under-mentioned Natives were also promised land in the Separation Point district in the quantities set opposite their names, viz.:—Riwai Turangapeke, 50 acres near Separation Point; Ihaka Te Meri, 50 acres at Waiharakeke; and Pene Mitikakau and Merenako, 50 acres at Awarua. These lands, however, have not as yet been selected for the allottees. The only steps that seem to have been taken to carry out the original intention is the marking off on the public plan of the district of 100 acres for the Natives at Waiharakeke. Besides the cash consideration paid to the Natives for the entire surrender of their claims, it was further agreed by Sir George Grey that fifteen of the principal chiefs of the Ngatitao Tribe should have scrip awarded them to the value of £50 each, to be available in the purchase of Crown lands in any part of the Colony. The following is a list of the chiefs who received scrip; the names marked * indicate those who exercised their right in Nelson:—Rawiri Kingi, Matene Whiwhi, Pitiroi Para, *Tungia Ngahuka, *Tamati Waka, *Mohi Te Hua, *Hohepa Tamaihengia, Hoani Te Okora, Tamihana Te Rauparaha, Waka Te Kotua, Ropata Hurumutu, *Te Whawharua, *Rene Te Onenuku, *Nopera Te Ngiha, *Rawiri Te Kotaitai.

Memo.—The scrip intended for Nopera Te Ngiha was appropriated, in error, by Nopera Te Mura (since dead).

Twenty-six of the Native claimants were also to have 200 acres each out of the land ceded by them, in such places as the Governor may set apart for that purpose. It would seem, however, in the absence of documentary evidence on the subject, that nothing has been done to give effect to the last-named intention; neither does there appear to be any record of the persons for whom the land was originally intended. The total sum expended by the New Zealand Company and the Government in the acquisition of territory from the Natives in the original Province of Nelson and a portion of the Province of Canterbury amounts to £13,017 15s. This includes the sum of £600 paid to the Ngaitahu Tribe in 1859–60 for their unextinguished claims to land on the East and West Coasts. In addition to the above, the sum of £709 was expended by the Government in the years 1863–64, amongst the Ngatirarua, Ngatitama, and Ngatiawa Tribes, in providing them with oxen, carts, and other presents for their advantage. The boundaries of the several blocks enumerated in the untranslated paper appended to the correspondence which forms the subject of this report, differ widely from the description of the lands comprised in the several deeds of cession to the Crown. The chief argument of the writers appears to be, that because certain places adjacent to some of the blocks that were ceded to the Crown were not included in the sale thereof, but required a separate arrangement to acquire them, that it follows that the places now claimed by the appellants were not included in the general cession of their territory to the Crown in 1855–56, owing to these places not having been specifically alluded to at the time of sale. The intention of the sellers, nevertheless, is clearly expressed in all the deeds of cession, the words used being to the following purport:—"We hereby agree for ourselves, our relatives and descendants, to sell, and entirely and for ever transfer, all our lands in this Island to Victoria the Queen of England, and her successors;" and there can be no doubt but that they fully surrendered all their claims to the Crown. The position of the land now claimed is indicated on the plan by a dotted line, thus—

In preparing the plan to accompany this report, I have not extended the purchase beyond the northern boundary line of Kemp's purchase from the Ngaitahu in 1848, although it is understood that the Ngatitao and other Northern tribes claimed to have sold all their interests in lands as far south as Hokitika, in the County of Westland; but as the question at issue lay to the north of the aforesaid purchase, it did not seem necessary to go beyond this line. It might however be advisable, for future reference, in case questions of a cognate character are raised again, to prepare a plan showing the whole of the purchases effected in the South Island from the various tribes; and I shall be glad to do so, if the proposition is approved of.

I have, &c.,

ALEXANDER MACKAY,
Commissioner.

The Under Secretary, Native Department.

EXTRACT from RETURN of NATIVE LAND PURCHASES laid before Parliament 18th June, 1856, *vide* pages 19 and 20, Parl. Paper C. 4, Votes and Proceedings, House of Representatives, Session IV.

PROVINCE OF NELSON.

District where situated.	Date of Purchase.	Extent in Acres.	Description of Land.	Dates of Payment.			Sums paid.			Sums payable.			Totals of each Purchase.			Tribes from whom purchased.
				£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
Waipouamu (Nelson and part of Canterbury Provinces)	Aug. 10, 1853	8,000,000	A great portion of this district on the west coast of the Island is as yet unexplored by Europeans, but the Natives report that there is a large extent of grassy and available country inland of the ranges that border the coast	2,000	0	0	Aug. 10, 1853	...	...	...	...	...	...	...	Ngaitoa.
	Mar. 2, 1854			200	0	0	Mar. 2, 1854	...	...	...	...	...	...	...	Ngatiawa.
	Mar. 10, 1854			500	0	0	Mar. 10, 1854	...	...	...	...	...	...	...	Ngatiawa of Taranaki.
	Dec. 13, 1854			2,000	0	0	Dec. 13, 1854	...	...	...	...	...	...	...	Ngaitoa.
	Nov. 10, 1855			600	0	0	Nov. 10, 1855	...	...	...	...	...	...	...	Ngaitiruru and Ngaitama.
	Mar. 5, 1856			100	0	0	Mar. 5, 1856	...	...	...	...	...	...	...	Ngaitoaka.
Gore's Harbour and Totaranui, Queen Charlotte Sound, claims of Tanaki Wiremu Kingi	Nov. 16, 1854	...	...	100	0	0	Nov. 16, 1854	...	...	...	...	...	...	...	Ngatiawa.
Te Awaiti, Queen Charlotte Sound, claims of Ngatiawa chiefs	Nov. 29, 1854	...	Good harbours, land generally hilly, with a few flats	200	0	0	Nov. 24, 1854	...	...	...	...	...	...	...	Ngatiawa.
Wairau ...	Feb. 1, 1856	...	Grass swamp and timber	100	0	0	Feb. 1, 1856	...	...	...	...	...	...	...	Rangitane.
Arapaoa ...	Feb. 9, 1856	...	Hilly, with small level flats in the different coves or bays	500	0	0	Feb. 9, 1856	...	...	...	...	...	...	...	Ngatiawa.
Hoiere and Kaituna ...	Feb. 16, 1856	...	Rich agricultural land, with fine timber	100	0	0	Feb. 16, 1856	...	...	...	...	...	...	...	Ngaitikua.
Do. claim of Noa Te Whata	...	...	Do.	1	0	0	Dec. 11, 1855	...	...	...	...	...	...	...	Maupoko.
Do. Rawiri Te Puaha	...	...	Do.	36	0	0	Jan. 22, 1856	...	...	...	...	...	...	...	Ngaitoa.
Do. Matene Whiwhi	...	...	Do.	11	0	0	Jan. 22, 1856	...	...	...	...	...	...	...	Ngaitoa.
Te Rei Ngangihō ...	Mar. 8, 1856	...	...	19	0	0	Mar. 8, 1856	...	...	...	...	...	...	...	Ngatiawa.
Whakapuaka Natives ...	...	...	...	...	...	...	...	...	...	100	0	0	...	...	Ngaitama.
Arahura do. ...	...	...	...	...	...	...	...	...	...	100	0	0	...	...	Ngaitahu.
Separation Point, Takaka, and Aoreve, unextinguished claims, within Mr. Commissioner Spain's Award to the New Zealand Company	Mar. 6, 1856	...	...	60	0	0	Mar. 6, 1856	...	...	...	...	...	...	...	Ngaitiruru and Ngaitama.
Do. do.	Mar. 7, 1856	...	...	150	0	0	Mar. 7, 1856	...	...	...	...	...	...	...	Ngaitiruru and Ngaitama.
Do. do.	Mar. 7, 1856	...	...	110	0	0	Mar. 7, 1856	...	...	...	...	...	...	...	Ngaitiruru and Ngaitama.
Totals ...	...	8,000,000	...	£6,787	0	0	...	...	...	£200	0	0	£6,987	0	0

A tribe of the Ngaitahu, about twenty-five (25) in number, on the West Coast, are entitled to a small compensation for their claims, not exceeding one hundred pounds (£100).
 In the event of the Wakapuaka Natives relinquishing a portion of the land claimed by them as a reserve, they would also be entitled to one hundred pounds (£100).

DONALD McLEAM,
 Chief Commissioner for the Purchase of Land from the Natives.

NORZ.—In the latter end of the year one thousand eight hundred and fifty-two (1852), Major Richmond purchased from the Natives the Pakawau coal district for a sum, as far as I can ascertain, of five hundred pounds (£500). I do not know the estimated extent of this purchase. In addition to the cash consideration paid to the Ngaitoa Natives for the entire surrender of their claims, the right of selecting fifteen scrips of fifty acres in any Crown lands in New Zealand has been guaranteed to them by Sir George Grey. Twenty-six chiefs were also to have two hundred (200) acres each in the Nelson Province, to be selected in such places as the Governor may set apart for that purpose.