

1888.
NEW ZEALAND.

WHAKAREWAREWA SCHOOL RESERVE, MOTUEKA
(REPORT OF MR. COMMISSIONER MACKAY UPON THE).

Laid on the Table Sess. II., 1887, and ordered to be translated and printed Sess. 1888.

Return to an Order of the House of Representatives, dated 23rd November, 1887.

Ordered, "That there be laid before this House the report of Mr. Commissioner Mackay upon the Whakarewarewa School Reserve, in Motueka."—(Mr. PARATA.)

MEMORANDUM *re* the Petition of Tapata Harepeka and Others, for the Restoration of certain Lands at Motueka granted to the Bishop of New Zealand as an Endowment for an Industrial School out of Reserves set apart for their Use and Occupation.

THE history of the early formation of the Nelson settlement being inseparably connected with the subject-matter of the petition, it would be difficult to explain clearly the whole of the circumstances which led to the setting-apart of the lands which are now sought to be recovered by the petitioners without briefly referring to the scheme under which the reserves at Motueka were set apart.

One of the principal features in the formation of the New Zealand Company's settlements was the scheme of Native reserves, and in all the early land-transactions with the Natives the deeds contained an express covenant that a portion of the land ceded, equal to one-tenth, should be reserved by the Company and held in trust for the future benefit of the vendors.

In fulfilment of the above engagement the original quantity set aside by the Company in the Nelson settlement as Native reserves was 20,100 acres—viz., 100 town acres, 100 suburban sections of 50 acres each, and 100 rural sections of 150 acres each, out of which only 5,057 acres have been retained.

In addition to the tenths it was also agreed between the Government and the New Zealand Company that the Natives were to have occupation land allowed them as well, as it was not intended that they should take possession of the tenths, but that these lands should be held and managed for the benefit of the vendors, and the proceeds expended for their moral and social advancement.

The mode of acquiring the Native reserve tenths was determined by lot in the same manner that orders of choice were obtained by European purchasers.

The tenths, town and suburban, were selected in the Nelson settlement by the Police Magistrate, Mr. H. A. Thompson, in 1842.

In fulfilment of the arrangement made between Captain Wakefield and the Natives shortly after the arrival of the preliminary expedition at Nelson, that they should retain a considerable portion of the Big Wood at Motueka, then in cultivation by them, Mr. Thompson was compelled, in consequence of their cultivations being included in the surveyed sections, to select these lands as Native reserves under the New Zealand Company's scheme. This led to the following fifty-acre suburban sections being chosen: viz., Nos. 157, 159, 160, 161, 183, and 187—in all, 300 acres.

In 1844 Mr. Commissioner Spain, who had been sent out from England by the Imperial Government clothed with plenary powers to investigate and determine the New Zealand Company's claims to land in New Zealand, arrived in Nelson for the purpose of holding an inquiry into the Company's claims in that district. On visiting Motueka he found the Natives, besides being in occupation of the aforesaid sections, were also cultivating lands that had been chosen by the settlers. It became necessary, therefore, in order to enable the Company to keep faith with its purchasers, to exchange these sections for lands selected as Native reserves tenths in other parts of the district.

This resulted in seven of the original fifty-acre sections being exchanged for seven others of an equivalent area in the Big Wood. In addition to the sections already in the occupation of the Natives, Commissioner Spain awarded them three more, bringing the number up to sixteen, and the quantity of land to 800 acres.

In July and August, 1853, two grants, comprising in all 1,078 acres and 5 perches, were issued in favour of the Bishop of New Zealand as an endowment for a school for religious, industrial, and English education of children of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean.

Of the quantity of land included in the grant, 918 acres and 5 perches was appropriated out of the Native Trust Estate, and 160 acres belonged to Crown lands. The proportion taken