

NOW these are the portions reserved for ourselves :—

- 1st The First : The Island in the Whanganui-o-rotu Lake named te Roro-o-Kuri.
- 2nd The Second : The portion surveyed by Mr. Park the Surveyor named Wharerangi as a lasting possession for ourselves. The boundaries of the said piece of land commence at te Niho thence along the survey line to Whakamaramaru crossing thence to Ahititi on reaching which place it runs along the survey line to Rere-o-tawaki and on to te Niho.
- 3rd The Third : Five hundred 500 acres at the place called Puketitiri with a right to snare birds throughout the whole of the forest of Puketitiri.

We also agree that the Queen's lines of road may be laid off and constructed through our reserves at such time as the GOVERNOR OF NEW ZEALAND shall see fit to commence such roads.

It is agreed that we shall have an equal right with the Europeans to the fish, cockles, mussels and other productions of the sea and that our canoes shall be permitted to land at such portions of the town as shall be set apart by the GOVERNOR OF NEW ZEALAND as a landing place for our canoes.

And in testimony of our true assent in the presence of this assembly to all the conditions of this DEED which has this day been read over to us by DONALD McLEAN ESQUIRE we hereunto sign our names and marks.

And in testimony of the consent of the QUEEN OF ENGLAND to all the conditions of this DEED the name of DONALD McLEAN the GOVERNMENT LAND COMMISSIONER is hereunto affixed.

(Signed) DONALD McLEAN,
Land Commissioner.

WITNESSES to these payments and to these signatures :

(Signed) ROBERT PARK, Government Surveyor.	
(Signed) ALEX. ALEXANDER, Settler.	TARIHA × his mark.
(Signed) EDWARD SPENCER CURLING, Settler.	and 299 other signatures.
(Signed) FREDERICK SEDGWICK ABBOTT, Settler.	
(Signed) WIREMU TAKO, Wellington, Chief.	
(Signed) JAMES BUCHANAN MCKAIN.	
(Signed) C. L. H. PELICHET, Asst. Surveyor, True Translation.	
(Signed) JAMES WILLIAMSON, Clerk.	
(Signed) I. THOMAS, J.P.	

WM. B. BAKER,
for the Chief Commissioner.

Certified as correct :

(Sgd.) HARI WI KATENE,
Licensed Interpreter,
1st Grade, Wellington.

(Sgd.) J. H. GRACE,
Licensed Interpreter,
1st Grade, Wellington.

31. A copy of the plan found attached to the deed is appended hereto as Appendix A.

32. It will be noted that the deed is in a foreign language —*i.e.*, the Maori language ; and that in determining the construction to be put upon its terms it is necessary to give the words comprising it their value and meaning in the Maori language. No translation of the terms of the contract appears to have been a part of the deed when it was signed in 1851. An incorrect and very untrustworthy translation became attached to the deed at some time, and this translation, reproduced with the deed in Maori in Turton's *Book of Deeds*, Vol. 2, page 491, was perhaps the basis upon which the Native Land Claims Commission in 1920 came to the conclusion that the Whanganui-o-Rotu was included in the deed of conveyance of 17th November, 1851.

33. It seems plain from official correspondence that counsel for the Natives in 1920 (Mr. Myers, now the Right Hon. Sir Michael Myers, P.C.) also was forced to rely upon the translation found in Turton's *Book of Deeds*—he was to be allowed to see the original deed (and original incorrect translation attached to it), but was not to be permitted to have copies made.

34. Reference to the Whanganui-o-Rotu is confined to one passage in the deed, which reads as follows :—

. . . tae noa ki te Wai-o-Hinganga ka haere tonu te rohe i roto i te Wai-o-Hinganga puta noa ki te Whanganui-o-Rotu haere tonu ki te waihi e wakatapu mo matou ki te Niho . . .