

through the medium of the "Native Reserves Act, 1856;" and I am directed to instruct you to obtain from the Natives a cession of the Reserves to the Crown for the purpose of bringing it under the operation of the Act. Forms of the deed of cession have been supplied to the Commissioners of Native Reserves at Canterbury.

I have also to inform you that it is His Excellency's intention to appoint you to ascertain the assent of the Natives, which will be done at the next Executive Council.

WILLIAM B. BAKER,
Chief Clerk,
For the Native Secretary.

Appendix D.

CHIEF
COMMISSIONER'S
MEMORANDA.

D—No. 4.

EXTRACT FROM MR. BULLER'S REPORT ON THE NATIVE SETTLEMENT OF CANTERBURY
DATED DECEMBER 27TH, 1859.

At Kaiapoi, a prolific source of discontent and strife has been found in the unsatisfactory tenure of the Native Reserve.

When Mr. Commissioner Mantell made this reserve in 1848, it was, as usual, vested in the tribe from whom he had purchased the adjacent territory. A few years after the formation of the Canterbury Settlement, when good road communication with Kaiapoi had become established, the bush on that Reserve came into great demand, and parties desirous of availing themselves thereof made bargains with one or more individuals of the tribe for the purchase of timber on a given number of acres, and then proceeded to cut it. Some of the Natives, grasping at all within their reach, continued to sell, utterly regardless of the claims of those who held with them the bush in common. These acts soon gave rise to fierce contentions as to the extent of individual rights, and the question had become so fraught with danger that it was found necessary in April last to warn off all European surveyors, on pain of legal proceedings,—a certain period being allowed them for the removal of such timber as they had fairly paid for. This measure tended much to tranquillize the Natives, but disputes as to individual claims or shares are still of not unfrequent occurrence.

To put an end for ever to these strifes they are very desirous that the whole of their Reserve be individualized, surveyed, and mapped, and that each may have a Crown Title for the portion allotted him.

After mature consideration I have confidence in recommending that steps be taken towards the accomplishment of this object. I have conferred with the Board of Commissioners of Native Reserves and they fully concur with me as to the desirability of carrying this scheme into effect.

At a public meeting of the Kaiapoi Natives, when this subject was under discussion, I elicited their sentiments by putting forward the following suggestions, all of which met their approval, viz. :—

1. That the primary sub-division and apportionment of the land should be arranged by them in *runanga* assembled.
2. That as a fundamental condition of the Grant, the estates and interest created thereby should be entailed, in order to make them inalienable to persons of other than the Maori race.
3. That the power of leasing, if allowed, should be modified by certain conditions or limitations.
4. That the whole of the attendant expenses should be borne by them,—a sufficient portion of the land being set apart for that purpose.
5. That suitable endowments should be made for the several objects of Churches, Schools, and Hospitals; the same to be vested in Trustees duly appointed.
6. That the arrangements contemplated in the last clauses should be carried out prior to the apportionment of the land, *i.e.* whilst it is common property.
7. That in order to give effect thereto the whole of the Reserve should be ceded to Her Majesty's Commissioners of Native Reserves for the Province of Canterbury.

Without committing myself to the above, or in any way compromising the Government, I have obtained the general acquiescence of the Natives therein; and I believe that, if judiciously managed, the object in view may be safely accomplished.

The propriety of giving power to lease to Europeans admits of serious doubt. Common experience suggests the danger of opening thereby a way for the inroad of a class whose influence, far from promoting the welfare of the Natives, would rather tend to demoralize and degrade them and thus defeat the primary design of this scheme: but, in the event of this power being conceded to them, it appears to me highly desirable, as well for the protection of the Native interests as for the security of the lessee, that all negotiations of this kind should require the sanction of an officer of the Government, whose certificate of approval should be necessary to the legality thereof.

The following are among the considerations which induce me to recommend this course :—

- (1). It is my firm conviction that the individualization of this Reserve would prove a material benefit to Natives concerned, not only by putting an end to their strifes on the subject, but as affording a stimulus to industry, and as calculated to promote their social and political advancement.