

P A P E R S

RELATIVE TO THE

SALE OF THE TOWNSHIP OF NGARUAWAHIA.

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

A U C K L A N D :

1864.

PAPERS RELATIVE TO SALE OF TOWNSHIP OF NGARUAWAHIA.

No. 1.

Copy of a LETTER from E. SHORTLAND, Esq., Native Secretary, to H. H. TURTON, Esq.
Colonial Secretary's Office (Native Department),
Auckland, May 2, 1864.

SIR,—

I am directed by Mr Fox to request you to undertake the investigation of the title to Ngaruawahia.

Your salary will be at the rate of £600 per annum. You will be allowed the assistance of your son, Kirk Turton, as clerk, at a salary of £150 per annum, and the usual allowance for your travelling expenses, together with any boat and canoe hire which may be necessary.

You will be allowed rations and incidental expenses for natives, where requisite.

The Government contemplates the necessity of continued investigations of a similar character into the titles of Natives in other parts of the Waikato country. Should events render them necessary, your services will be further required.

Your appointment—which is to be that of Commissioner for the investigation of Native Titles—is to date from 19th April, 1864.

As far as the Government has power in reference to the Pension Acts, your previous services will be allowed to reckon in your favor.

I have, &c.

H. H. Turton, Esq.

E. SHORTLAND,
Native Secretary.

No. 2.

Copy of a LETTER from H. H. TURTON, Esq., to the COLONIAL SECRETARY.

SIR,—

Auckland, June 17, 1864.

I beg to report my return from the districts of Raglan and Waikato, whither I had proceeded on the 10th of May, in accordance with your instructions, to investigate and satisfy the claims of friendly or neutral natives to certain undefined portions of the Waikato land, which, by reason of rebellion, had become confiscate to the Crown.

After waiting eight days without success for a steamer to Whaingaroa, I started by the more expensive and circuitous overland road *via* Mangatawhiri, so that no more time should be lost, since the Government were so very anxious to have all native titles cleared away, and the district left to them for immediate occupation by military settlers, &c.

The result of this commission, so far, is contained in the enclosed "Agreement" of the non-belligerent natives to dispose of all their claims on the Waikato delta to Her Majesty's Government for a sum of money to be awarded by myself as Commissioner, but still under the sanction of His Excellency's Advisers.

On arrival at Waipa I found that William Barton (assistant missionary), and his son Andrew, were the only persons either able or willing to assist me in this investigation, and therefore I decided to take them with me to Raglan, as a counteraction to any false claims which might be put in at that place.

On reaching Whaingaroa, William Naylor sent off at once for all the claimants to come and meet me, which they accordingly did; and at the public meeting which followed, they, after much discussion and explanation, entered into the appended "Agreement," without a dissenting voice.

After the signatures had been made to this agreement (in the presence of Major McGregor) to dispose of all their rights to land situated within the delta formed by the two rivers, wherever they might flow, I paid over to them the sum of £50 as a first instalment (or "*utu-maatamua*") on the land, leaving the remainder to be paid as soon as we can arrive at an approximate estimate of their real claims,—agreeing, nevertheless, that they, and not the Government, should be responsible for the equitable distribution of the money, in accordance with the claims proved, but under my own general supervision and sanction in the first place.

On returning to Waipa, the same agreement was entered into with the claimants of that district; and arrangements were made for obtaining the consent of similar claimants residing at Aotea, Kawhia, and elsewhere, so that no injustice should be knowingly done to any individual.

The result of this negotiation (and which the natives perfectly understand, whatever they may say in future) is, that the Government shall make a specific award in compensation of their claims (whatever they may prove to be) between the rivers Horotiu, *i.e.* Waikato proper, and Waipa; and that, in the meantime, the Government can carry out their scheme of military settlement as if no such claims existed.

I have, &c.

H. HANSON TURTON,
Commissioner.

Enclosure to No. 2.

AGREEMENT of the Neutral Natives of Raglan and Waipa to dispose of their Claims on the Waikato Delta.

Whaingaroa, May 24th, 1864.

We do hereby consent to sell to the Government all the pieces of land belonging to us which lie between the rivers Waipa and Horotiu. By this (Agreement), the title and authority of that land

reverts (passes away) to the Government; and it is at their disposal at the present time for (carrying on) their system of settlement (*i.e.*, placing men upon it).

When the sale of the lands above mentioned is completed, if we are desirous for any eel-fishery or other place, we consent to purchase such of those lands as may be conceded (agreed to) for us, according to the rate of payment which may be fixed upon by the Government—but on the condition that a Crown grant be attached to such lands as may thus be taken (purchased) by us.

Enough as to that.

We have received from Mr. Turton, the Judge of Lands (Special Commissioner for investigating Native Titles), £50 sterling, as a binding and making sacred of this our agreement to sell those pieces of land to the Government (explained to them by the term “utu-maatamua,”—*i.e.*, deposit or first-payment for the land).

In witness hereof we have signed our names below on this the 24th day of May, 1864.

(Here follow the signatures, not a single claimant declining to sign.)

(True translation.—H. H. TURTON.)

No. 3.

Copy of a LETTER from H. H. TURTON, Esq., to the Hon. T. RUSSELL.

SIR,—

Auckland, July 4th, 1864.

In reply to your inquiry as to the Native proprietorship of the small block of land comprised within the township at Ngaruawahia, I have the honor to inform you that after making due investigation both there and at Raglan and elsewhere according to the special instructions of the Government to that effect, I have arrived at the opinion—

1. That by far the greater portion of the town site belonged to the rebels, many of whom are on board the hulk.

2. That the small remainder is claimed by Wiremu Nera, old Kaniwhaniwha, and Wm. Barton, with their several people, and

3. That there are no other claimants to that piece in this District beyond those whose consent to sell I have obtained. What other claims may be preferred by-and-by from distant places (if any) can easily be dealt with as they arise.

I have other lists from Aotea and Kawhia lately received, assenting to my arrangements to purchase their claims on that delta as soon as I can with justice both to themselves and the Government; so that I feel well assured, from the peculiar character of Native titles, that every claimant of the least importance is represented fully in the list of signatures obtained.

I have, &c.,

The Hon. the Minister of War, Auckland,

H. H. TURTON.

No. 4.

MEMORANDUM by MINISTERS.

Ministers respectfully submit to His Excellency plans of the proposed township at Ngaruawahia, also the reports made by Mr. Commissioner Turton upon the friendly Natives' claims to land at Ngaruawahia. It is of great importance that the township should be sold as soon as possible. Ministers therefore respectfully advise His Excellency to sanction the sale by Public Auction in the usual way.

Colonial Defence Office, Auckland, 4th July, 1864.

T. RUSSELL.

No. 5.

MEMORANDUM by the GOVERNOR.

The Governor has just received his Responsible Advisers' Memorandum of yesterday's date, advising that the township of Ngaruawahia should be sold by Public Auction in the usual way.

The Governor observes from Mr. Turton's reports forwarded to him, that claimants for portions of this township may hereafter appear from distant parts of New Zealand. He would, therefore, with a view to meeting such claims if they may arise, prefer seeing a portion of the township reserved for such purpose for the present.

He, however, adopts the advice in other respects of his Responsible Advisers with regard to the other portions of this township being disposed of. The manner in which it is disposed of to the persons to whom it is to be granted must of course be settled by Ministers.

July 5th, 1864.

G. GREY.

No. 6.

PUBLIC NOTIFICATION.

Notice is hereby given that certain allotments in Queenstown (Ngaruawahia) have been set apart as sites for places of worship, and the Representatives of the several recognised religious bodies who may wish to obtain, respectively, one of the said allotments, are hereby invited to make application at the Survey Office, on or before Monday, the 3rd October next.

Survey Office, Auckland, 6th September, 1864.

CHARLES HEAPHY, Chief Surveyor.

Schedule of Sites reserved in Queenstown for Places of Worship.

No. of Lot.	Contents.	No. of Lot.	Contents.
39	0 1 14	262 and 263	0 2 12
72 and 73	0 2 16	314 „ 315	0 2 14
128 „ 129	0 2 12	325 „ 326	0 2 16
156	0 1 20	391	0 1 33
215 „ 216	0 2 8	498 „ 499	0 2 16

No. 7.

QUEENSTOWN—(NGARUAWAHIA).

I hereby notify, for public information, that the undermentioned allotments in Queenstown (Ngaruawahia), Parish of Horotiu, will be offered for sale by public auction, at the Waste Lands Office, at Twelve o'clock, on Monday, the 8th August, 1864.

Survey Office, Auckland, 6th July, 1864.

CHARLES HEAPHY,
Chief Surveyor to the General Government.

QUEENSTOWN (NGARUAWAHIA), PARISH OF HOROTIU.

No. of Lots.	Contents.	Upset Price.			No. of Lots.	Contents.	Upset Price.			No. of Lots.	Contents.	Upset Price.		
		£	s.	d.			£	s.	d.			£	s.	d.
1.	0 1 11	31	17	6	64.	0 1 8	30	0	0	348.	0 0 39	24	7	6
2.	0 0 38	23	15	0	65.	0 1 8	30	0	0	349.	0 0 36	22	10	0
3.	0 0 38	23	15	0	66.	0 1 8	30	0	0	350.	0 0 38	23	15	0
4.	0 0 38	23	15	0	67.	0 1 8	30	0	0	351.	0 1 0	25	0	0
5.	0 0 37	23	2	6	68.	0 1 8	30	0	0	352.	0 1 0	25	0	0
9.	0 0 34	21	5	0	69.	0 1 8	30	0	0	353.	0 0 35	21	17	6
10.	0 0 31	19	7	6	70.	0 1 8	30	0	0	355.	0 0 34	21	5	0
11.	0 0 28	17	10	0	71.	0 1 8	30	0	0	356.	0 1 1	25	12	6
12.	0 0 24	15	0	0	74.	0 1 8	30	0	0	357.	0 1 5	28	2	6
13.	0 0 21	13	2	6	75.	0 1 9	30	12	6	358.	0 1 0	25	0	0
14.	0 0 24	15	0	0	76.	0 1 8	30	0	0	359.	0 0 35	21	17	6
15.	0 0 29	18	2	6	77.	0 1 7	29	7	6	360.	0 0 33	20	12	6
16.	0 0 31	19	7	6	78.	0 1 8	30	0	0	361.	0 1 7	29	7	6
17.	0 0 25	15	12	6	79.	0 1 8	30	0	0	362.	0 1 10	31	5	0
18.	0 0 28	17	10	0	80.	0 1 8	30	0	0	363.	0 1 15	34	7	6
19.	0 0 30	18	15	0	81.	0 1 8	30	0	0	364.	0 1 0	25	0	0
20.	0 0 32	20	0	0	88.	0 0 22	13	15	0	365.	0 0 37	23	2	6
21.	0 0 34	21	5	0	89.	0 0 21	13	2	6	366.	0 0 37	23	2	6
22.	0 0 36	22	10	0	90.	0 0 23	14	7	6	367.	0 1 21	38	2	6
23.	0 0 38	23	15	0	91.	0 0 27	16	17	6	368.	0 1 10	31	5	0
25.	0 0 37	23	2	6	92.	0 0 38	23	15	0	369.	0 1 10	31	5	0
26.	0 0 38	23	15	0	93.	0 0 29	18	2	6	370.	0 0 27	16	17	6
27.	0 0 38	23	15	0	94.	0 0 20	12	10	0	371.	0 0 28	17	10	0
28.	0 0 38	23	15	0	95.	0 0 29	18	2	6	372.	0 0 35	21	17	6
29.	0 1 4	27	10	0	96.	0 0 19	11	17	6	373.	0 0 35	21	17	6
30.	0 1 3	26	17	6	99.	0 1 0	25	0	0	374.	0 0 28	17	10	0
32.	0 1 7	29	7	6	100.	0 0 36	22	10	0	375.	0 0 28	17	10	0
33.	0 0 38	23	15	0	101.	0 0 32	20	0	0	376.	0 0 33	20	12	6
34.	0 0 37	23	2	6	102.	0 0 31	19	7	6	378.	0 1 4	27	10	0
35.	0 1 11	31	17	6	103.	0 0 31	19	7	6	379.	0 1 12	32	10	0
36.	0 1 6	28	15	0	104.	0 0 29	18	2	6	380.	0 1 9	30	12	6
37.	0 1 7	29	7	6	105.	0 1 0	25	0	0	381.	0 1 0	25	0	0
38.	0 1 0	25	0	0	106.	0 1 0	25	0	0	382.	0 0 37	23	2	6
40.	0 0 35	21	17	6	107.	0 1 0	25	0	0	383.	0 0 32	20	0	0
41.	0 1 4	27	10	0	108.	0 1 0	25	0	0	384.	0 0 28	17	10	0
42.	0 1 4	27	10	0	109.	0 1 0	25	0	0	385.	0 0 27	16	17	6
43.	0 1 11	31	17	6	110.	0 1 0	25	0	0	386.	0 0 34	21	5	0
44.	0 1 13	33	2	6	323.	0 1 8	30	0	0	387.	0 0 33	20	12	6
45.	0 1 13	33	2	6	324.	0 1 7	29	7	6	388.	0 1 16	35	0	0
47.	0 1 2	26	5	0	328.	0 1 8	30	0	0	389.	0 1 24	40	0	0
49.	0 0 29	18	2	6	329.	0 1 8	30	0	0	390.	0 1 3	26	17	6
50.	0 0 28	17	10	0	330.	0 1 8	30	0	0	392.	0 1 17	35	12	6
51.	0 0 28	17	10	0	331.	0 1 0	25	0	0	393.	0 0 33	20	12	6
52.	0 0 37	23	2	6	332.	0 1 8	30	0	0	394.	0 1 3	26	17	6
53.	0 0 29	18	2	6	333.	0 1 8	30	0	0	395.	0 0 28	17	10	0
54.	0 0 25	15	12	6	334.	0 1 8	30	0	0	396.	0 1 12	32	10	0
55.	0 1 8	30	0	0	335.	0 1 7	29	7	6	397.	0 0 36	22	10	0
56.	0 1 8	30	0	0	336.	0 1 8	30	0	0	398.	0 0 36	22	10	0
60.	0 1 7	29	7	6	344.	0 1 3	26	17	6	399.	0 1 12	32	10	0
61.	0 1 8	30	0	0	345.	0 0 32	20	0	0	400.	0 0 28	17	10	0
62.	0 1 9	30	12	6	346.	0 0 30	18	15	0	401.	0 1 4	27	10	0
63.	0 1 8	30	0	0	347.	0 1 8	30	0	0					

SIR,—

Ngaruawahia, 3rd August, 1864.

I have the honor to request you may be pleased to take into consideration a request I make to have allotment No. 32 reserved from public auction. I shall be happy to purchase this allotment at whatever price may be considered fair.

As a reason for making this request, I beg to state that I have been quartered at Ngaruawahia since the commencement of the present year, and that in accordance with a general order I have built a house on allotment No. 32, which was commenced before the allotments were marked off by the Surveyors.

I have, &c.,

The Hon. T. Russell,
Minister for Colonial Defence, Auckland.

M. ROCKE, Major, 18th Royal Irish.

P.S.—I beg to add, should it be decided that the allotment be sold at the auction, the purchaser paying for improvements, that I now value the buildings, which consist of five rooms, an outhouse, and cultivated garden, at £100.

M. ROCKE.

REPLY.—That the Government will withdraw the allotment from sale. Major Rocke may occupy it without rent while he is stationed at Ngaruawahia, and on his removal may remove or sell the buildings.

September 5th, 1864.

T. RUSSELL.