

time, to withhold all knowledge of these charges from the persons accused; that the Imperial Government has, from time to time, demanded explanations in terms which to a great extent prejudged the question at issue; and that in some cases, as indicated by Ministers in their Memorandum of the 16th ultimo, it has authoritatively published these charges before any reply or explanation could possibly be received.

Ministers feel assured that His Grace will recognize the justice of that objection, and the propriety of altering a practice which has admitted of the evils on which it was founded.

For His Excellency the Governor,

E. W. STAFFORD.

No. 57.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the Right Hon. the Duke of BUCKINGHAM.

(No. 106.)

Government House, Wellington,

8th October, 1867.

MY LORD DUKE,—

Vide Appendix.
G.—No. 6.

I have the honor to transmit for your Grace's information a Petition which has been addressed to Her Majesty by John Topi Patuki, Chief of the Ngahitahu and Ngatimamoe tribes.

2. This Petition relates to a reserve in Princes Street, Dunedin, in the Province of Otago, which was made for the Natives in the year 1853, and has now become of very considerable value.

3. I enclose for your Grace's information a Memorandum which my Responsible Advisers have prepared upon the enclosed Petition, the allegations contained in which they state are for the most part correct.

4. Your Grace will find from this Memorandum that my Responsible Advisers, at a meeting of the Executive Council, inadvertently advised me to sign a Crown Grant, dated the 11th January, 1866, by which the reserve in dispute was granted to the Superintendent of the Province of Otago, and which grant I signed in ignorance of what I was doing.

Vide NEW ZEALAND PARLIAMENTARY DEBATES, Vol. I., pp. 522, 523, and pp. 526, 527.

5. I also enclose for your Grace's information, copies of the explanations made upon this subject in the House of Representatives by the Honourable the Colonial Secretary, and the Honourable J. C. Richmond, the Minister for Native Affairs.

6. Upon inquiry I find that the sum of £6,031 12s. 9d., (six thousand and thirty-one pounds twelve shillings and nine pence), accrued rents, was, upon the 24th ult., paid over to the Superintendent of Otago as following the grant.

7. I have thus put your Grace in possession of all requisite information in reference to a case which I sincerely desired should have been compromised in a generous spirit towards the Natives of the Middle Island, who parted with large tracts of land to this Government for an almost nominal consideration.

I have, &c.,

His Grace the Duke of Buckingham and Chandos.

G. GREY.

Enclosure in No. 57.

Memorandum by the Hon. J. C. RICHMOND upon JOHN TOPI PATUKI's Petition to Her Majesty. HORI TOPI PATUKI's Petition has been held back in the hope that an arrangement of an equitable kind might be effected between the two claimants to the reserve—the Province and the Ngaitahu tribe. The prospect of this has for the present passed away, and Ministers are not justified in asking His Excellency to delay any longer to forward the petition for presentation to Her Majesty.

The allegations contained in the petition are for the most part correct. There is good evidence that the native owners at the time of the first negotiations for the land at Otakou objected to giving up a part of what now forms the reserve, and in consequence of that objection the negotiation was broken off. In the subsequent deed of sale no specific reservation of the land is made, but a general understanding is indicated that some lands are to be surveyed by the Governor for the sellers, and the vague terms of the deed may have been meant to include *inter alia* a portion of the reserve in question.

No notice of such a reserve appears on the original official map of the Town of Dunedin, on which the land comprised in it is shown as sections, open for choice by the holders of Land Orders for the Otago settlement.

On a subsequent map the section lines are effaced, and by order of the agent of the New Zealand Company the water frontage was declared a reserve.

This Act appears to have been without sufficient authority, and called forth protests at the time from the holders of land orders. The land was however withheld from selection and continued to be treated as a reserve for general public purposes.