

FURTHER PAPERS

RELATIVE TO THE DUNEDIN PRINCES STREET RESERVE.

No. 1.

Copy of a Letter from the Hon. E. W. STAFFORD to His Honor the SUPERINTENDENT of OTAGO.
(435.)

Colonial Secretary's Office,
Wellington, 16th October, 1866.

SIR,— I have the honor to enclose a copy of a letter dated the 5th August last from the Native chief Hori Kerei Taiaroa, representing the claims of the Natives in Otago to the reserve known as the Princes Street Reserve, in Dunedin, which was granted to the Superintendent of Otago under "The Public Reserves Act, 1854," in a Crown Grant dated the 11th January, 1866.

After a careful consideration of all the circumstances connected with the Native claim to this reserve, and with the Crown Grant referred to, the Government is of opinion that the question of the validity of the grant should be submitted to a proper judicial tribunal.

The best mode of testing the question of law appears to the Government to be by "Writ of Intrusion;" and I have to propose to your Honor that this mode of bringing the matter before the Supreme Court be taken.

The expenses attending the process will be chargeable on the contingencies of the Native Department, or on the proceeds of the reserve, according as the issue may be.

As it is important that this question should be determined without delay, I have to request your Honor to be good enough to favour me with a reply at your early convenience.

His Honor the Superintendent, Otago.

I have, &c.,
E. W. STAFFORD.

Enclosure in No. 1.

[TRANSLATION.]

Otago, 5th August, 1866.

Go, O my letter of love, to the Governor. Salutations. I have a word to say to you about our reserve here in the town. I request you to make clear to us the case in respect of it. I have heard that it is being taken away by the Pakehas of the town, that land is. It is very wrong thus to take our land away without a cause.

Friend the Governor,—With you is the disposal of that land. Do you, in replying to this letter, make clear to us its position. If any Pakehas importune for that land, do not let them have it without paying for it.

Friend, give heed. If you would like to have that land for yourself, give me the payment.

If that letter reach you, write in reply, so as I may know whether it is right or wrong.

That is all.

Your friend,
HORI KEREI TAIAROA.

No. 2.

Copy of a Letter from His Honor the SUPERINTENDENT of OTAGO to the Hon. E. W. STAFFORD.

Province of Otago, N.Z.,
Superintendent's Office, Dunedin, 30th October, 1866.

SIR,— I have the honor to acknowledge the receipt of your letter No. 435, of the 16th instant, enclosing copy of a letter from the Native chief Hori Kerei Taiaroa, representing the claim of the Natives in Otago to the reserve known as the Princes Street Reserve, in Dunedin, which was granted to the Superintendent of Otago on the 11th January last, in which, after stating that the Government, after a careful consideration of all the circumstances connected with the case, is of opinion that the question of the validity of the Crown Grant should be submitted to a proper judicial tribunal, you propose to me to test the law of the case by "Writ of Intrusion" before the Supreme Court.

In reply, I do myself the honor to state that, on behalf of this Government, I decline to try the validity of the Crown Grant by the course proposed, on the ground that the Provincial Government cannot recognize any Maori right or title to the reserve in question, which point, it was understood, had already been definitely decided by the General Assembly.

The Hon. the Colonial Secretary,
Wellington.

I have, &c.,
THOMAS DICK,
Superintendent.