

## No. 11.

Copy of a Letter from Mr. CLARKE to the Hon. W. B. D. MANTELL.

(D. 50.)

Civil Commissioner's Office,

SIR,—

Tauranga, 23rd June, 1865.

In accordance with your verbal instructions, given to me when in Tauranga, I have the honor to report upon the present state of the land claims, as far as they concern the Natives in this district.

In the first place, I will bring under your notice the position in which this question was placed when peace was made with the Natives in this district.

When the Natives made their surrender to His Excellency the Governor the Ngaiterangi gave up all their lands into the hands of His Excellency.

The friendly Natives were parties to this arrangement, as you will see by reference to records in your office.

Before the Governor declared the terms upon which he would accept the surrender of the Ngaiterangi, I was instructed by the late Ministers, Messrs. Whitaker and Fox, to meet the Natives and try to induce them to give up some specific block of land, but so many difficulties presented themselves, chiefly amongst themselves, that they abandoned the idea and adhered to their first determination of giving up all their lands. There is also a record of this in your office.

His Excellency the Governor in his reply to the Ngaiterangi told them that he would return to them three-fourths of their land, retaining the remainder as a punishment for their rebellion. The Natives all expressed satisfaction at the liberality of the Governor.

It was afterwards proposed that the block of land to be confiscated was to be that portion of Tauranga between the rivers Waimapu, on the south, and Te Wairoa, on the north; all their land to the north of Te Puna the Natives were to be paid for at the rate of three shillings per acre. A deposit of £1,000 was paid upon it, the receipt for which will be found in the Treasury.

With regard to the block of land above described to be confiscated, the Natives, after a little reflection, took exception to the proposition; they stated, with justice, that if it was carried out the punishment would fall heavily upon some, while others would not lose an inch of land, although equally implicated in the war, for instance, the Ngatihe, Ngatihoko. Ngatimateika, and some other hapus who claim no land in the block, would not be deprived of any land whatever.

It was also arranged that Ohuki and the Islands of Rangewaea and Motuhua should be reserved for the Natives, that the claims should be, as far as practicable individualized, and that they should receive certificates which should be inalienable; this was not intended to exclude them from other reserves that it might be thought proper to make.

It was distinctly understood by the Natives at the time that peace was made, that Te Puna would be absolutely required by the Government, but that it should be paid for. The Natives expressed themselves satisfied with this arrangement, as it would place an armed force of Europeans between themselves and the Thames people, who they greatly feared would take advantage of their weakened and disarmed condition to revive some of their old land feuds.

The Natives living in that part of Tauranga, most of whom are owners of land at Te Puna and its immediate neighbourhood, are still earnest in pressing the carrying out of this arrangement.

You are aware that Wiremu Tamihana a short time since wrote a letter to Colonel Greer protesting against the occupation of Te Puna, that letter was read by the Tauranga Natives, and they indignantly ignored his right to interfere in the matter. As he has never asserted a claim to land in that locality, it is supposed that he wrote that letter at the instance of some of the Pirakau tribe (Tauranga), who have never made their submission.

William Tamihana does put in a claim for Omokoroa, a piece of land to the north of Te Puna, this the Tauranga Natives dispute, and state he only resided there on sufferance.

I presume that in carrying out these arrangements all claims will be investigated in the Native Lands Court, and it must not be a matter of surprise if, when this inquiry is made, it is found that those Natives who have been in arms against us are very small claimants. I think the greatest claimants will be those who have taken no active part in the war. It is, I think, to be regretted that all these arrangements were not carried out at once; the matter has been delayed so long that the Natives begin to think that it is only a threat never intended to be enforced; some Europeans, it is reported, have tried to encourage this hope, with a view to carry out their own land-purchasing arrangements. Knowing how injurious such an impression would be upon the Native mind, I have steadily maintained that the Government would certainly adhere to the condition and promises made at the peace.

With regard to the block of land to the north of Te Puna, upon which Government have paid a deposit of £1,000, you are aware that Te Moananui, of the Thames, has disputed the Ngaiterangi claim to that portion nearest the Ngatitematera country, one of those strips of debatable land generally found on the borders of all land claims between rival tribes.

This was settled by arbitration in December last, but the award of the arbitrators has still to be carried out, viz., the land to be surveyed, valued, and the amount agreed upon to be divided between the two parties.

Most of the difficulties in settling the claims in this district will arise from the fact that the Ngaiterangi claim only by conquest. They did not destroy the original inhabitants, but allowed them to remain as cultivators of the soil (not slaves), subject to the conquerors. Some of the principal chiefs took the best of the women as wives, and in some cases, some of the Ngaiterangi women married men of the conquered tribe—the pure Ngaiterangi are now in the minority. The issue of these inter-marriages have, when they have thought it would suit their purpose, ignored their claims through Ngaiterangi, and have fallen back upon the claims derived from the original occupants, this has been the cause of much bloodshed, even down to a very late date, and is now frequently the cause of angry debate. If any trouble arises in carrying out the plans of the Government it will arise from those who support the claims of the original inhabitants, many of whom have never come in.