

No. 25.

STATEMENT by Mr. YOUNG.

MR. CLARKE,—

At the direction of the Hon. Native Minister, I beg to make the following statement regarding the reserves in the Rangitikei-Manawatu Block:—

The reserves made by Dr. Featherston were decided upon, so far as I can ascertain, in 1866 or 1867, and the whole of the block (no reserves being mentioned in the deed) was ceded to the Crown on the 13th December, 1866.

Subsequently the Native Land Court sat, and made awards to the non-sellers.

In consequence of various circumstances, which it is unnecessary to go into here, Mr. McLean went to the Rangitikei-Manawatu district in 1870, and made further awards, at the same time promising the persons to whom he gave the lands that they should be secured by proper titles.

With regard to the awards made by the Native Land Purchase Commissioner (Dr. Featherston), it appears to me that Crown grants might be issued under the provisions of the Crown Grants Act (No. 2) of 1862, clause 3. The lands reserved were ceded to Her Majesty, as I before stated, before the reserves were actually made, and I think it may be taken for granted that in setting apart these reserves a guarantee of a sufficient title was made. I think that in most land-purchasing operations the reserves, if any were required by the Natives, were specially excepted in the deed of cession; in this case no such exception exists, so that the lands passed into the hands of the Crown, and had to be returned.

The awards of the Native Land Court are in a different position. I presume that the grants for those will issue under the Native Lands Act.

Mr. McLean's awards might probably be secured to the Natives by grants under "The Crown Grants Act (No. 2), 1862."

In writing the above suggestions, I have not taken into consideration the point as to whether the General Government have the power of granting any portion of the Provincial estate unless subject to the existing land laws of the Province, the Native title over the Rangitikei-Manawatu Block having been extinguished by notice in the *New Zealand Gazette*, No. 60, of 1869, the awards of the Court being specially in that notice excluded.

Wellington, 3rd September, 1872.

T. E. YOUNG.

REFERRED to the Attorney-General for his opinion and advice as to how the grants are to be made out, so as to give the Natives interested a legal title.

DONALD McLEAN.

THE HON. THE MINISTER FOR NATIVE AFFAIRS,—

There is no mode of doing this without the authority of an Act of the General Assembly authorizing the grants. So far as I can see, there is no authority in law for the grant.

6th September, 1872.

J. PRENDERGAST.

No. 26.

The Hon. D. McLEAN to His Honor W. FITZHERBERT.

SIR,—

Whanganui, 6th February, 1872.

I have the honor to acknowledge the receipt of your Honor's letter of the 31st ultimo, covering a tracing, for which I return you my thanks.

The settlement of the inland boundary of the Rangitikei-Manawatu Block appeared to me to be of such imminent importance to the peaceable occupation of the district that I have spared no exertion or trouble in deciding on a boundary which would protect the interests of the Province and at the same time satisfy the Native claimants. After repeated and lengthy discussions with the Natives, most of whom were not parties to the original sale of the land, I proposed that a line should be drawn half-way between Umutoi and Pariroa, and thence to the Waitapu, which is the inland boundary of the purchase on the Rangitikei River.

There appears to be a misapprehension with regard to the position of Pariroa. On Mr. Stewart's map it is placed some miles lower down the Oroua than its actual site, and this error leads to the impression that the line as proposed would absorb some 67,000 acres of the public estate. I find, however, after carefully examining the Natives and Messrs. Carkeek and Campion, that the boundary as indicated by me will scarcely interfere with that shown on the Government maps, and will not to any appreciable extent diminish the area of the purchase; an adjustment of this line is moreover calculated to lead to the almost immediate acquisition of territory inland of it.

I have already intimated to you privately and by telegram the nature of the arrangements which have been concluded with the Natives, for whom Mr. A. McDonald was acting as agent; and I believe that whenever the survey of the reserves has been completed, no difficulty will arise respecting that portion of the purchase, which includes the homestead of Mr. Swainson, 500 acres, that of Mr. L. Daniel (now being laid off), and a disputed boundary enclosing 1,150 acres. One of the chief difficulties respecting boundaries has been the definition of the back boundary of the Reureu Reserve; this, after very lengthened and tiresome interviews, has also been settled, and the surveys are in progress under Mr. Carkeek.

The extent of land claimed by the occupants of this reserve, amounting to about 200, was confined by me, on a former occasion, within certain limits, which were supposed to contain about 3,400 acres; but after my departure the Natives claimed upwards of 10,000 acres. In addition to my award, Mr. Kemp conceded 3,000 more acres, but I have now been able to narrow the reserve to 4,400 acres, by giving compensation in money and agricultural implements to the amount of about £500.