

No. 21.

Mr. J. A. WILSON to Mr. H. T. CLARKE.

SIR,—

Land Purchase Office, Gisborne, 16th August, 1876.

See Appendix,
No. 29.

I have the honor to acknowledge the receipt of your telegram No. 482, calling for a concise report of the purchases of Puremungaahua, Ngatawakawaka, and Matatuotonga, from my first entering into negotiations for those blocks up to the present time, including judgments of Court.

In reply, I beg to state in the first place, that I should have forwarded a more formal report than is contained in my telegram of the 24th ultimo, and in minutes upon vouchers named in your telegram, had I not felt a degree of hesitation arising out of an uncertainty as to the light in which the Government had viewed the latter portion of my report of the 6th of June last. In regard to the blocks now under report, I beg to state that the circumstances are few and simple. On the 27th January, 1875, the Native owners sold these blocks to the Government at the price of 2s. per acre, the Government to bear the expense of surveys and all other expenses and charges whatsoever. The land was sold at a public meeting convened by the Natives, and held at Tolago in the open air on the forenoon of the day named. The agreements of sale were not made out and signed that day, nor were the advances paid just then. This was owing to a press of other business, and to the presence of several other *hapus* from a distance, who engaged my immediate attention. The agreement for Ngatawakawaka, which was executed on the 29th January, 1875, notifies the sale to me on behalf of the Government of the block of land situate in the district of Tolago known by that name. It gives the boundaries of the block, and states its price per acre. By it the vendors covenant to point out the boundaries upon the ground to the Government surveyor, to pass the land through the Native Land Court, and to convey to the Crown afterwards. It also acknowledges the receipt of an advance of £25, paid by me on the purchase. The agreement is in Maori, and attested by a Native chief. Agreements in similar terms, attested in like manner, are held by me, declaring the sale of Matatuotonga on the 5th February, 1875, and of Puremungaahua on the 22nd of the same month. On these advances were also paid, and to the present time not a single Native disputes these Government purchases in regard either to the fairness of the transactions themselves, or to the ownership of the Natives with whom the transactions were entered into.

The lands were surveyed last winter by the Deputy Inspector of Surveys on my requisition, and the following applications for hearing were made upon the forms of the Court, and were sent to the Chief Judge of the Native Land Court through this office:—

For Ngatawakawaka, on the 14th September, 1875, which was returned as insufficiently signed at foot of form, and a fresh application was sent through this office on the 15th November.

For Puremungaahua, on the 8th October, 1875, returned in like manner, and a fresh application was sent through this office on the 19th November, 1875.

For Matatuotonga, on the 15th of November, 1875.

The three blocks were gazetted for hearing at Wai-o-matatini, Waiapu, on the 10th March last, at which time however they were not heard, as the Court at that place was adjourned for a month.

As Wai-o-Matatini is more than two days ride from Tolago—is in fact quite out of the way—I asked Judge Rogan, on or about the 5th April, to permit the adjournment from Wai-o-matatini to Tolago, of these and all lands in any district in which Government is interested. Judge Rogan replied to the effect that he himself wished that the cases I referred to should be taken at Tolago, as a place that was far more convenient for himself, and he mentioned correctly the number of my claims which might be probably so adjourned, saying at the same time that of course the Natives would have to make the necessary applications in Court. The cases named were accordingly adjourned to Tolago.

Here I should state that I had written to the District Officer, Mr. Locke, informing him that these were Government lands, and in Matatuotonga and Ngatawakawaka I added the names of the principal owners. *Vide* my letter to you No. 469-76, of the 29th ultimo, with correspondence attached.

The three blocks under report were proclaimed under the 42nd clause of "The Immigration and Public Works Act Amendment Act, 1871," in the *New Zealand Gazette* of the 4th May. They were heard by the Native Land Court at Tolago on the 5th, 6th, and 7th July last. They were awarded in each case to the Natives with whom I had dealt.

I did not hear from the District Officer that Captain Porter had been appointed his deputy. I did not hear from Captain Porter that he was the District Officer's deputy, nor did I receive any intimation on the subject from yourself.

I was not present at Tolago Court. I knew that the District Officer would be absent at Napier, that I should therefore have no means of communicating with the Court; but on this ground I felt no uneasiness, as I also knew that the ownership to the lands was undisputed. On this head, therefore, my presence was not necessary. Again, the sale of these blocks to Government was so publicly known, was a matter of such general notoriety in that part of the country, and had been for months, among Europeans and Natives, that, setting aside my conversation with the Judge, and statements the Natives may have made to the Court, I should not have been justified in supposing that these public interests could be endangered by any action of a Court whose function it is under the present Act to "make inquiry." I could not have supposed it possible that facts most patent would have been neglected, any more than I could have supposed the Court capable of ignoring the 42nd clause of "The Immigration and Public Works Act, 1871," with the Governor's Proclamation based on the same. On these grounds, therefore, my presence at Tolago was unnecessary.

On the other hand, the Natives in Tolago had been expecting payment so long, their patience was so sorely tried, that they had told me the last time I was there not to visit that place again without the money for their land. They had also written to me subsequently to the same effect. In reply, I had said I would not come without the means of paying for their land, and so anxious was I to satisfy their reasonable request, and so much importance did I attach to it, as an example for other blocks, that I followed my letter No. 447-76, and other letters to Wellington, in order to urge the money question, and that a Magistrate might be sent to attest the signatures of the Natives.