

These proceedings of Sir D. McLean were reported by him to the Prime Minister, in a minute presented to Parliament. We venture again to ask Your Excellency if they did not justify a belief on the part of all the Ngatiruanui people, that the Government had really sanctioned and encouraged their peaceable return to the tribal land. The immediate result was the acquisition of several large blocks within the confiscated territory. When Mr. Parris left office in July 1875, about 185,000 acres had been acquired under deeds of cession, full information about these cessions being laid before Parliament in Ministerial Statements. The practice of taking formal deeds of cession, however, was producing its natural effect in the minds of the Natives, leading them to see in it an acknowledgment of their tribal ownership: and this came under special notice on the occasion of the purchase of Otoia Block at Kakarama, close to Carlyle. The officer in charge of the district, Captain Wray, remonstrated against the system. "It appears to me paradoxical," he said, "to imagine that Natives whose lands have been confiscated can legally give a title, as is now being gravely done by deed of conveyance [cession]. I think that if any payment is necessary, a far better way would be to pay the money by way of compensation: [such a] transaction would not exhibit the apparently illegal and inconsistent nature of the present mode of procedure." Moreover, the Natives themselves were raising a new kind of claim in consequence of it. When a difficulty arose with the chief Tapa te Waero, who had occupied a piece of land granted to a military settler in 1867, he told Major Brown that "he did not recognize the confiscation; for had not Mr. Parris and Major Brown paid money to the Whenuakura Natives for their land, and if that were right, what was the confiscation worth?" Sir Donald McLean seems to have considered the time was come to make a change in the system; and when Major Brown succeeded Mr. Parris, Sir Donald gave him verbal instructions that confiscated lands were no longer to be purchased, nor deeds of cession taken for them. Accordingly, the acquisition of the first two blocks negotiated for by Major Brown, the Opaku and Okahutiria in the Patea country, took place simply by the payment of sums of money as gratuities. This was the foundation of the system now called "*takoha*": Your Excellency will see later on, that the change of term was (of course) wholly ineffectual to change the opinion of the Natives as to what was really meant by the payment of money in that way. The official instructions, however, which the Native Minister gave to the new Civil Commissioner, did not touch upon the mode of acquiring the confiscated land: on the contrary, Sir D. McLean confirmed his Instructions of 1872 by incorporating them in his Instructions of 1876, and directing them to be still followed: but at the same time he extended the rate of compensation to be paid from 5s. to 7s. 6d. per acre for the country north of Waingongoro, on account of the "extravagant views of its value entertained by the Natives, and the fact that they had failed to recognize the reality of the confiscation."

The new system was initiated with a high hand. The survey of Waingongoro river, which had been begun in May 1876, was not made without opposition; but Major Brown told the Natives that "it had been carried on as a matter of right which the Government possessed, to do what they pleased within the confiscated boundaries." Encouraged by the apparent submission of the Natives at that time, Major Brown asked the Government to let him have ten surveyors with proper working-parties, and to place £9,000 at his disposal as *takoha* at the rate of 2s. 6d. per acre. This sum, he said, would enable him to settle the land between Patea and Waingongoro, after which he "anticipated no difficulty in dealing in the same manner with the land north of Waingongoro as far as Oeo."

The negotiations for the first two blocks under the new system (Opaku and Okahutiria) were completed in April 1877, and next month the Commissioner began to treat for the remaining country as far as Waingongoro. His report at that time was encouraging as to the prospect of success. "The Natives," he said, "are gradually but steadily improving in their feeling of submission to the state of things resulting from their defeat by us: so much so, that they have accepted the carrying-out of the confiscation of the remaining land between Patea and Waingongoro without any serious demur. I propose," he added, "after

1873-5.

Sir D. McLean,
1st February
1873: P. P. 1873,
C.-4A.
P. P. 1873, G.-8.
P. P. 1875, G.-6.
P. P. 1876, G.-10.

Report, C. A.
Wray, 18th June
1875, 75/3488.

1876.

Major Brown,
Report, 23rd May
1876: P. P. 1876,
G.-1.

Telegram, Major
Brown: Evi-
dence, Q. 1341.
Under-Secretary
Land Purchase
Department, Evi-
dence, Q. 1340.

Sir D. McLean,
Instructions, 12th
April 1876: Ap-
pendix A, No. 3.

Chief Surveyor,
Evidence, Q. 990-
992.

Major Brown,
Report, 9th
January 1877:
Appendix C,
No. 7.

Ibid, Evidence,
Q. 1112.

Major Brown,
Evidence, Q. 1124.

1877.

Major Brown,
Report, 31st May
1877: P. P. 1877,
G.-1.