

No. 33.

(Telegram.)

[TRANSLATION]

To the PREMIER of the Government, New Zealand.

Cambridge, 19th February, 1881.

Mr. Bryce's decision with respect to the claims of the Government to Patetere was that they should be settled by money payment. You say they should be paid in land. We have offered Mr. Gill 22,000 acres of good land, and he has refused our offer. We have attended five Courts, and have been put to great expense thereby. Now all the land will go to procure food. We are attending this Court, awaiting the carrying out of Mr. Bryce's word. If you will not take land, take money to-day, so that we should no longer be bound by Mr. Bryce's arrangements. If one of the Ministers had been here this difficulty would long ago have been settled. Mr. Bryce told us that he would come, and we are therefore disappointed at there being no Minister here. Please reply to this telegram to-day.

HARE TEIMANA AND OTHERS.

No. 34.

SIR,—

Kawau, 23rd February, 1881.

I had the honor of receiving, late yesterday, your letter dated the 9th instant, which bears the office-mark of the 14th instant, and the Auckland post-mark of the 21st instant. That letter is in answer to my letter to the Governor of the 8th December last.

I regret to state that I do not think, from the terms of your letter of the 9th instant, that you have accurately stated to His Excellency the circumstances connected with the abandonment of the purchase of the Patetere Block of land by the Government.

Upon the 19th June, 1876, Mr. F. Whitaker and certain gentlemen waited upon Mr. Sheehan, the late Native Minister, regarding the purchase of the Patetere Block from the Natives. The block was then under a Proclamation, which, in order to protect the rights of the public, prohibited any of the Queen's subjects from negotiating for its purchase; and Mr. Sheehan, in reference to the proceedings of the gentlemen represented by Mr. F. Whitaker, as their legal agent, I presume, and who were continuing to negotiate for the land, stated as follows:

"Most of the payments made by Europeans concerned had been made since our Proclamation was issued, and are consequently illegal. In several instances the survey, or the surveys, have been made without authority, and practically by stealth. For this Moore and Hay are only to blame.

"If it be decided not to accept (the proposals made), then it must be borne in mind that the parties are very powerful, and are well supplied with funds, and will make as hard a fight as possible, trusting to the chance perhaps of a change of Government, and to altering the existing land laws; nevertheless, if my hands are strengthened by the decision of the Cabinet, we can beat them. Many of the people are anxious to deal with us. We have paid considerable sums of money on the land. By appointing some competent person for the sole purpose of residing in the district and conducting the negotiations, I think we could pull them through."

The then Government replied to Mr. Sheehan, the Native Minister, as follows:—

"Wellington, 20th June, 1879.

"We have considered your telegrams regarding blocks of land on the east bank of Waikato. We think the proper course is to point out to applicants the illegality of the course they have pursued, the impropriety of their surveys made by stealth, all which things you have so ably pointed out in your confidential telegram; and then inform them that for these and other reasons it is impossible for us to entertain proposals.

"G. GREY"

Shortly after this the late Government was put out, and the present Government installed in office.

I now turn to your letter of the 9th instant. In it you state: "It is the declared policy of the present Ministry to withdraw as far as possible from the purchase by the Government of lands owned by aboriginal natives, and in pursuance of that policy they consider it inexpedient to proceed with the negotiations which had been commenced for the purchase of the Patetere and many other blocks of such Native land. A notice was accordingly published early in November last in the *Gazette* and in several newspapers that application would be made to the Native Land Court to assign to the Crown an area of land proportionate to the advances of money which have been made by the Government, and that, on this being done, it would be open to the Natives to dispose of the remainder of the blocks in the manner authorized by law, to any person whom they may choose. This notice was given more than two months ago, and there can be no ground for assuming that the general public is unaware of the period at which the Patetere Block will be free from existing restrictions. His Excellency's advisers have no doubt that in adopting the course above indicated they have acted in the true interests of the whole of the Queen's subjects in New Zealand."

Upon this I would observe that, upon the 9th of January, 1880, Mr. Sheehan wrote to the Native Minister that he had agreed with certain Europeans concerned to undertake the completion of their outstanding negotiations for the land, provided in doing this he should not be called upon to do anything contrary to the declared policy of the Government in regard to those lands. (There is here no mention of not doing anything contrary to law.)

To this application the Native Minister replied on the 12th January 1880: "I think I may say, without any breach of the understanding, that should means be devised for completely securing a refund, or other equivalent, of the expenditure already incurred, the anxiety of the Government to proceed with the purchase would not be great."

This information was given privately to certain of the Queen's subjects. It amounted to a permission to go on with negotiations for the purchase of the land. It was addressed virtually to some persons who had already injured the public interests and embarrassed the Government by proceedings which the late Minister had reported as, in his opinion, illegal; and I believe there can be no doubt they were so. All the Queen's subjects ought, in June, 1880, to have been placed in possession of the same information, and none of them should have been allowed to acquire a vast property to the detriment of those who were obeying the law.