

by the Compensation Court, and who while in possession granted the lease referred to. The validity of the lease was doubtful on grounds not necessary to specify; but the Government, having subsequently purchased the reversionary interest of the natives, granted in 1881 a new lease from the Crown to the representatives of Major Turner (the original lessee) for the remainder of their term, which has still about eleven years to run. When this new lease was under negotiation, Mr. W. M. Lewis, the Assistant Law Officer, pointed out that the Governor had no power to grant it (L. 80/2740). I agree with him, but think that he might grant it under the powers of the West Coast Settlement Acts, if recommended by me. All that the Special Powers and Contracts Act, therefore, could operate upon is the reversion after the expiry of that term; and if the grants were issued now, they would be subject to the lessees' interest, and Tapa and his people have no more land for their present use than they had before, so far as these three sections are concerned.

E.—On the Southern Boundary of the Confiscated Block.

I have had much difficulty in ascertaining what is the true boundary of the confiscated block on the south. (Sub-Enclosure 3.) According to the Schedules of the West Coast Settlement (North Island) Act, 1880, and the West Coast Settlement Reserves Act, 1881, which define that block, the south boundary for the whole length is the Waitotara River, which would include within the block the 1500 acres referred to, and bring it within the jurisdiction of the West Coast Commissioner, and would have justified Major Brown in dealing with it as confiscated land. But, according to the definition in Mr. W. S. Atkinson's *Gazette* notice of 25th January, 1867, the boundary was partly the Waitotara River from the sea to a certain point, and thence by a straight line on a north-east angle of $22\frac{1}{4}^{\circ}$. But according to the standard map in the Wellington office, and Mr. Marchant's interpretation of it, this line of $22\frac{1}{4}^{\circ}$ breaks off into a line of $23^{\circ} 50'$. In either of the latter cases the 1500 acres, or the greater part of them, are not within the confiscated block, nor within the jurisdiction of the West Coast Commissioner; but, as part of the Moumahaki Block, Major Brown might have a right to deal with them in the course of his extinguishment of native title in that block, and his action in making them a native reserve might be good.

SUB-ENCLOSURE 1.

Major BROWN to the NATIVE UNDER-SECRETARY.

New Plymouth, 15th May, 1879.

SIR,—In reference to the 1,500 acres that have been allocated for Tapa te Waero and his people in fulfilment of a promise from the late Sir D. McLean, confirmed by the affidavit of Wi Parata, and on the evidence of Tapa te Waero himself, before the Native Petitions Committee, that he and his people had absolutely no land to cultivate or make use of, I have the honor to recommend that no Crown grants be issued for these lands until Tapa and his people surrender the land that was allotted to them by Captain Blake (about 350 acres), which they leased to a settler, and the land at Papatapu (about 800 acres), that Tapa and his people took possession of, dispossessing James Riddel, who was occupying two sections there of 400 acres each.

I have, &c.,

CHAS. BROWN,
Civil Commissioner.

The Under Native Secretary, Wellington.

SUB-ENCLOSURE 2.

MEMORANDUM by Captain WRAY; 18th September, 1876.

MEMORANDUM for HON. SIR D. McLEAN.

TAPA TE WAERO'S CASE.

The petitioner, Tapa te Waero, with his hapu lately squatted on some land in the Okotuku District, which had been granted by the Crown for Military Services to John Norman, Ensign Taranaki Military Settlers, and sold by him to John Dickie, who now owns it.

Tapa was arrested on a criminal information, and tried in the Supreme Court, Wanganui; but by an arrangement entered into between counsel, with the permission of the Judge, proceedings were withdrawn on Tapa's promising not to take the law into his own hands again, and to leave Mr. Dickie's property.

He now comes to the Legislature for redress of his imaginary wrongs, alleging that certain promises made, that reserves would be set apart for his tribe, have not been fulfilled. He also states that he has no land whatever to live upon, and that Wi Parata promised that the whole of the confiscated lands unoccupied in 1873, should be returned to the tribes.

In my evidence before the Committee, I have described the arrangement entered into by Sir D. McLean in January, 1873, with the Ngarauru Tribe. 2,000 acres was agreed upon as the amount to be set apart, besides 500 acres to Pehimana and his people, making in all 2,500 acres. Captain Blake was instructed to arrange the allocation of these reserves; and, accordingly in May, 1873, met the natives interested, by appointment, at Patea. No arrangement was then agreed to, the natives being much divided; but at a meeting held a few days later at Waitotara, Captain Blake succeeded in coming to an arrangement as follows:—

					Acres.		
Aperahama and hapu	...	...	...	...	700	...	Ihupuku
Te Whiu and hapu	...	...	...	...	500	} one block. in {	Upper Waitotara
Rererangi and hapu	...	...	...	...	340		
Tapa and hapu	...	...	...	...	330		
Hare Tipene and hapu	...	...	...	...	400		
Pehimana and hapu	...	...	...	...	500	...	Lower Waitotara
Tokakaikura hapu	...	...	...	...	200	...	
Pukawharariki hapu	...	...	...	...	400	...	
Total	...	...	...	...	3370	acres.	