

3. This appears from a letter from Mr. Henry Tacy Clarke, Under-Secretary for Native Affairs, addressed to the said Hon. Every Maclean, which is in the following terms :—

Native Office, Wellington, 5th January, 1874.

SIR,—Referring to a letter, dated 9th September last, from Captain Wilson, as your agent in negotiating the purchase of a portion of the Maungatautari Block, the title to which has been made inalienable, I have the honour, by direction of the Native Minister, to inform you that His Excellency the Governor will be advised to remove the restriction, and upon your forwarding the proposed conveyance, before it is executed by the Natives, the Governor's signature to the certificate of removal of the alienation-restriction will be obtained. The certificate should be engrossed on the deed by your solicitor in the usual form.—I have, &c., HENRY T. CLARKE, Under-Secretary. Hon. E. Maclean, Howick, near Auckland.

4. In reliance that your petitioner's title to the said property would be duly confirmed, and that a Crown grant thereof would be issued without any restriction as to alienation, your petitioner has spent considerable sums of money, amounting to not less than seven thousand pounds in all, in purchasing the said land and in improvements.

5. After repeated applications for the said grant, your petitioner is now informed that his Excellency the Governor is about to issue a Crown grant of the said property, but that it is to contain a restriction against alienation. The effect of a grant in such terms would be, that your petitioner would be unable to retain the rights over the said property which he has purchased, and would, in consequence, lose not only the price he has paid in respect of the purchase, but also the sums which he has subsequently spent in improvements.

6. Your petitioner submits that, looking to the assurance of the Under-Secretary contained in his letter of 5th January, 1874, above quoted, he was justified in believing that a Crown grant would be issued free from restriction as to alienation, and that Mr. Maclean's title and his own were sufficiently secured to warrant his expending the large sums he has laid out in connection with the property.

Your petitioner therefore humbly prays that the matter may be referred to a Committee of your Honourable House, who shall inquire into the facts and circumstances set forth in this petition, and that your Honourable House will be pleased to recommend that the Crown grant of the said Maungatautari property should be issued free from all restrictions as regards alienation, or that your petitioner should have such other relief in the premisses as to your Honourable House shall seem meet.

And your petitioner will ever pray.

JAMES FERGUSON.

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