

claims were supplied to him. At the same time Kawiti was informed by the Native Office that Mr. Clendon was instructed to make the inquiry.

On the 10th of October Mr. Clendon furnished his report to the Government, from which it will be seen that Kawiti's claims were not substantiated. A copy of Mr. Clendon's report is enclosed herewith.

With reference to the portion of the 71st section of the Constitution Act quoted in the letter, and to the desire expressed that it should be given effect to, it will be observed from the accompanying copy of a letter addressed by the late Native Minister to the Native chief Tawhiao that the Government was of opinion that the councils referred to in the Act were only to be of a temporary nature, and that to introduce them after a lapse of thirty-four years would be acting directly contrary to the spirit of the Constitution Act itself. The views expressed in this letter by the Hon. Mr. Ballance are concurred in by the present Native Minister.

It is not known by the Native Minister what gift of land is referred to in the latter part of Kawiti's letter.

A communication has been addressed to M. P. Kawiti on the subject of his letter, a translation of which, with copy of enclosures, is forwarded herewith.

Wellington, 16th November, 1887.

EDWIN MITCHELSON,
Native Minister.

Sub-Enclosures.

LETTER from J. A. CLENDON, Esq., to the UNDER-SECRETARY, Native Office, Wellington.

SIR,—

Native Office, Whangarei, 10th October, 1887.

I have the honour to return herewith all the papers in connection with the claims of Maihi P. Kawiti to certain pieces of land alleged to have been reserved by the Natives at the sale of the Ruapekapeka Block to the Government, and also of the Opua Block, which was sold many years since to the Church Missionary Society by Toitapu and other chiefs long since deceased.

I regret that so long a delay has occurred in making a report on this matter; but upon two of my periodical visits to the Bay of Islands Maihi Kawiti was absent from his settlement, and it was not until the late Native election day that I could definitely meet with him.

In relation thereto, I would beg to say that I obtained the original map of the Ruapekapeka Block from the Survey Office at Auckland, made by Mr. Kempthorne, on which all the reserves made at the time were marked off. I pointed out to Maihi Kawiti that, had any other reserves been made at the time of the survey than those shown, they would also have been marked on the plan; and that no such pieces of land as he claimed were shown as reserves: consequently he had not any claim. With relation to the Opua Block, I pointed out to him that it had been settled upon by the Church Missionary people and their tenants as far back as 1838, and that until a few years back no claim whatever had been made to it by any Native. Maihi Kawiti contends that it is alleged to have been sold to the Church Missionary Society by persons who could have no title to it. I replied that the fact of the sale having been recognised by the chiefs Pomare, Kiwikiwi, Kawiti te Whareunui, Pukututu, Pumuka, and others during their lifetime, was sufficient to show that the alienation had been complete, and that he could not have any real claim to it.

I have, &c.,

JAMES A. CLENDON, Native Agent.

FRIEND,—

Native Office, Wellington, 15th November, 1887.

His Excellency the Governor has forwarded Ministers a letter from you, dated the 12th July, 1887, addressed to the Right Hon. the Marquis of Salisbury, and which has been in due course forwarded to the Colonial Government.

Friend, as regards your claim to the pieces of land in the Bay of Islands district named in your letter, you are aware that in accordance with your wishes the late Government directed Mr. Clendon, the Resident Magistrate, to make a careful investigation into your claims. This he has done, and informed you of the result—namely, that your claim cannot be substantiated.

With reference to that portion of your letter relating to the 71st section of the Constitution Act, and your desire that it should be given effect to, I forward you herewith an extract from a letter addressed by Mr. Ballance, at the time he held the office of Native Minister, to Tawhiao on the subject, and wish to inform you that I quite agree with the views therein expressed by him.

From your loving friend,

EDWIN MITCHELSON,

Native Minister.

M. P. Kawiti, Waioimio, Kawakawa, Bay of Islands.

FRIEND TAWHIAO,—

Native Office, 8th June, 1886.

I have received your letter of the 17th May, by the hand of our friend Henare Kaihau, concerning the grievances which have affected you and your people since the making of the Treaty of Waitangi. In this letter you draw attention to the Constitution Act of New Zealand, clause 71, where the Queen has the power by Orders in Council to provide for the meeting of Native chiefs for the purpose of deliberating upon affairs peculiar to the Maori people.

I have read with great pleasure the personal history you give of your father Potatau, whose life and conduct endeared him to the Europeans of the colony, and whose memory is still cherished in New Zealand. For it is true what you say, that at an early period of the colony he was the consistent friend of the Europeans and a staunch advocate of peace. His action in reference to the Treaty of Maraetai, when his word went forth to the chiefs of Waikato that they should continue to show love and good-will to the colonists,—his disapproval of Hone Heke's proposal to cut down the flagstaff at Takapuna, and his support of the Europeans at that period,—his declaration