

know but that a continued refusal on their part would transform that man-of-war into a prison, or something still worse to them. Third, because the boundaries mentioned in that deed are not the boundaries which were settled verbally between Kemp and our elders—the land-sellers.

It is often said in the North Island: The Natives of the Middle Island are well off; they are living by the rent of their lands. This is not so. If the land given us by the Government is individualised the proportion to each Native is as follows: At the Heads, Otago, about 50 acres each; at Waikouaiti, about 20 acres each; at Moeraki, about $5\frac{1}{2}$ acres each; at Waitaki, about $7\frac{1}{2}$ acres each; at Waikawa, about 10 acres each; at Tauhina, about 3 acres each; at Arowhenua, Waipopo, Te Waiaeruati, Timaru, and Taumutu, taken all together, 6 acres each; at Rapaki and Port Levy, 14 acres each; at Kaiapoi, 16 acres each. The condition of the Natives of the Middle Island is bad. As long as we have strength to work as servants to the Europeans, as long as the market is accepting that servitude, we are keeping ourselves and families above want. Should this strength and the market fail—and the time will come that it will—then we Natives will be little better than a mass of paupers thrown upon the present lords of the land.

The burden of our petition is that the white man has grasped at our fifty millions of acres in the Middle Island without any equitable return or provision for the Natives. That such transactions as C. Wakefield's, and his friends Kemp and Mantell, are unintelligible and unjust without the condition of one acre out of every ten for the Natives; for instance, Kemp extorts the consent of the cession of about seven million acres at Akaroa for £2,000, and, not content with that, worded his deed so loosely as to convey the idea of having agreed for twenty millions of acres—namely, nearly all the land included in the Otago and Canterbury Provinces. Is this equitable, without the condition of one in ten acres out of the cession for the Natives?

The proof of this condition has lately been required from us. Why, if this condition is not expressed in the deed, the fault is not ours. If it is, why has it never been fulfilled to us? Governor Sir G. Grey says that the Otepoti acre (Princes Street Reserve) was a tardy act of justice to the Native sellers of the Otago Block, who were entitled, by the terms of the original scheme of the Company, to have reserved for their benefit one acre to every ten of the allotments sold in the Town of Dunedin, &c. But this condition embodies a sufficient provision for the Natives of the Middle Island, if applied in its true spirit to all the land ceded to the Company—the Otepoti acre is a mere mockery. Loud and universal was the cry formerly against private traders buying landed estates for fish-hooks and scissors in New Zealand; but, without that condition of one out of every ten acres over the whole cession, Wakefield's, Kemp's and Mantell's transactions would leave the worst of private land-sharking far behind.

We are delating before you, the honourable members of Parliament, the wrongs we suffer, relying firmly upon your honour and love of fair-play for you to redress them, and take under your protection the semi-paupers and orphans of the Middle Island.

That is all. From the Natives assembled at Kaiapoi, this 25th March, 1874, and others.

[Here follow the signatures.]

To His Excellency the MARQUIS of NORMANBY, Governor and Commander-in-Chief of the Colony of New Zealand, Wellington.

In April, 1875, we, the Natives of Moeraki, Waitaki, Arowhenua, &c., as distinct from the Natives south of Port Chalmers, presented a humble petition to your Excellency, praying that the deed (Kemp's, 1848) upon which the New Zealand Government is founding its tenure of about twenty millions of acres in the Middle Island, be made the subject of a trial, having been come to by illegal means. Since that (19th July, 1875) we received a communication (N. and D. 75/3242, No. 221) from Mr. Clarke, informing us that your Excellency had the goodness to appoint Judge Williams to investigate the subject of our above-mentioned petition. A twelvemonth has now expired, and Judge Williams has not yet announced his intention to appoint a time for a hearing of those few remaining old chiefs who were actors in these transactions in the year 1848, and whose depositions are indispensable in the trial of our case, as these circumstances (the threats and intimidations resorted to by Commissioner Kemp in 1848) have found no place, no ventilation, in the books of this colony, for reasons which are laying on the surface of the matter.

We humbly wish to bring to your Excellency's consideration that the denial of a trial of these our grievances, emanating, not from Her Majesty's representative, but from the colonial Ministry of the day, as an interested party, has been the invariable rule in the dealings between the Government and us Natives, first, because we are few, and bring no pressure to further our demands of justice; and secondly, these material witnesses being now well stricken in years, a short space of time will efface all evidence on the subject by their death. We utterly despair of any trial being instituted by the New Zealand Government in this matter, and, as a last resort, we intend to take up our residence on the inland of this Island, the purchase of which land has never been accomplished either by Commissioner Kemp or Mantell. We humbly lay this, our intention, at your Excellency's feet, that, should we be mistaken in the attitude of the present colonial Ministry, your Excellency, by communicating to us any reliable hope of action in the matter, may allay that anxiety which is spurring us to our present tentative step above referred.

Arowhenua, 3rd May, 1876.

Your Excellency's most obedient and humble petitioners.

Mr. FENTON to the Hon. the NATIVE MINISTER.

SIR,—

Native Land Court Office, Auckland, 10th July, 1876.

I have the honour to enclose my report on the petition of Ngaitahu; also extracts of the minutes of the Native Land Court, and other papers, which I trust you will find correct.

I have, &c.,

The Hon. Sir D. McLean, K.C.M.G.

F. D. FENTON.

Report.

This report applies to the land comprised in the operations of Messrs. Wakefield, Kemp, Hamilton, Symonds, and Mantell, and excludes the northern part of the Island, to which the petition does not relate.