

rest of the Queen's subjects. I explained that to them, but I am afraid they were not provident enough. In reference to these tenths you speak of, a reservation was made in the Constitution Act of £7,000 a year in part to replace that, and some purchases were made on condition of their getting 5 per cent. of the purchase-money as long as the sales went on, but even that was not regularly paid to them. I believe it was withheld from some cause or other. But there were various modes of purchase."

Sir George Grey further stated (p. 646 of evidence): "I know the intention was to give them considerable reserves, and the impression left upon my mind, from what I have seen of the reserves, is that the original intention has never been properly carried out. That was the impression on my mind. I can only state the impression on my mind, and that has been the impression on my mind as I have gone about the country."

In answer to a question from what source Sir George Grey contemplated funds arising to enable the Government to fulfil promises of schools, hospitals, and other advantages, he said (pp. 649, 650 of evidence), "I imagined that reserves would be kept for that purpose, in addition to what was given to the Natives, and that the money would have been given from the Land Fund."

In reply to a suggestion that the land was purchased for the Company and that the tenths might have been in force, Sir George Grey said (p. 664 of evidence), "I had no instructions regarding those tenths; but I certainly contemplated much larger reserves than fourteen acres a head. I think I should have been no party to the purchase if I believed that was all they were going to get. I would not have made the purchase on those conditions; would not have consented to act as the agent to do it."

A petition on the subject of unfulfilled promises in the Middle Island having been presented to Parliament by H. K. Taiaroa and T. Tainui,¹ the Native Affairs Committee reported on the 25th August, 1882, that the reserves made by the Native Land Court at Christchurch on the 7th May, 1868, "were given in final settlement of all claims under this head;" that there was no evidence to show that the claim for tenths was thought of until the last few years; that schools and medical attendance had been supplied since 1865 partially and since 1868 fully, and whenever required. Mention is made of two cases where the Natives refused schools lest their claims on the colony should be prejudiced. The Committee thought that the question of schools and medical attendance had been neglected prior to 1868, and suggested the consideration of a liability to pay the Natives of the present day the arrears due to a past generation, a process which the Committee did not consider difficult.

On the 12th May, 1886, Mr. Alexander Mackay was appointed a Commissioner for the purpose of making inquiry in respect of Natives who were without land in the Middle Island. He was instructed to examine into and report on five points: (1) The cases of Natives alleged to be unprovided with land; (2) whether the lands hitherto set apart were adequate for the maintenance and support of the Natives; (3) the cases of all half-castes in the Middle Island whose names were not included in the Acts of the Legislature who were still unprovided with land; (4) to ascertain and furnish the names, addresses, and sex of all such persons, and to recommend how their requirements should be provided for. By a supplementary Commission, dated the 20th July, 1886, Mr. Mackay was further instructed (5) to inquire into and report whether certain aboriginal Natives interested in the inquiry held by the Commission of 1879 were willing or desirous of accepting a grant of land in final settlement of their claims. On these points Mr. Mackay does not clearly and specifically report, but has given a lengthened report of the negotiations, and his view of the engagements connected therewith, which, to say the least, are not in accordance with any view he appears to have expressed or entertained prior to the date of his appointment. A copy of Mr. Mackay's report, dated 5th May, 1887, is attached herewith.²

This brings the case of Ngaitahu down to the present time.

The foregoing review of the question seems to establish that no promises of reserves of land have been made which have not been fulfilled, and that at the negotiations no promises of tenths were made or held out.

APPENDIX TO THE EPITOME OF THE NGAITAHU CASE (17th July, 1888).

No. 1.—DESPATCH from His Excellency the GOVERNOR-IN-CHIEF to Lieut.-Governor EYRE.

SIR,—

Government House, Auckland, 8th April, 1848.

In reference to the anxiety which has been manifested by some of the Natives inhabiting the Middle Island to dispose of the tract of country lying between the district purchased from the Ngatitooa Tribe and that purchased by the New Zealand Company, at Otago, I have the honour to acquaint you that I have found it impossible to dispense with the services of the Surveyor-General from this part of the colony; and it will therefore be necessary for you to appoint some person for the purpose of extinguishing any title to the tract of country in the Middle Island lying within the limits before alluded to, which may upon inquiry be found to be vested in the Native inhabitants thereof.

The mode in which I propose that this arrangement should be concluded is by reserving to the Natives ample portions for their present and prospective wants, and then, after the boundaries of these reserves have been marked, to purchase from the Natives their right to the whole of the remainder of their claims to land in the Middle Island.

The payment to be made to the Natives should be an annual one, and should be spread over a period of four to five years. An arrangement of this nature will remove all possibility of the

¹ App. No. 31, Report of Native Affairs Committee, 25th August, 1882, p. 33, I.—2, 1882.

² App. No. 32, Mr. Mackay's report, 5th May, 1887, G.—I, 1888.