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NEW ZEALAND.

# CLAIMS OF NATIVES TO WAIRARAPA LAKES AND ADJACENT LANDS

(REPORT ON, BY MR. COMMISSIONER MACKAY).

*Presented to both Houses of the General Assembly by Command of His Excellency.*

To His Excellency the Right Hon. WILLIAM HILLIER, Earl of Onslow, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

Under the Commission issued by your Excellency, dated the 11th day of November, 1890, I was enjoined to hold an inquiry relative to the allegations contained in a petition addressed to the House of Representatives by certain aboriginal natives residing in the Wairarapa district, touching their claims to the Wairarapa Lake and certain lands adjacent thereto; but, before dealing with the subject-matter thereof, as a perfect comprehension of the question cannot be attained without some knowledge of the history of the several matters relating thereto, I propose to submit for your Excellency's information, a brief recapitulation of the principal circumstances connected therewith, beginning at the earliest period that land-purchase operations were commenced in the Wairarapa district.

The right of pre-emption being vested in Her Majesty under the Treaty of Waitangi, no private individuals could legally purchase land from the Natives after 1840 under a penalty. The acquirement of Native land needed to promote the settlement of the country consequently devolved on the Government, and a system of land-purchasing was commenced in 1847 for the purpose of acquiring suitable tracts of land that were essential for the progress of the colony.

Owing to the necessity for procuring land in the neighbourhood of Wellington to provide for the spread of colonisation, and also with a view to put a stop to the illegal practice then prevailing on the part of the Europeans of taking up land for grazing purposes from the Natives in the Wairarapa, attention was directed in 1853 by the Land-purchase Department to that district as a field of operation.

Considerable difficulties had to be encountered at the outset to break down the confederacy that had been formed by the Natives against alienating their land to the Government, and these difficulties were further increased by the system of irregular leasing that then obtained, by which the Natives were deriving a considerable rental; but, as this practice was threatening to entail a serious loss on the prospects of the colony by interfering with the acquirement of land by the Government, it was decided that action should be taken to put an end to it.

After a long negotiation, the opposition of the Natives to sell their land was broken through towards the close of the year 1853, by the disposal of several small parcels of land in the Wairarapa, comprising the home-stations of the settlers, on which in many instances large sums of money had been expended in making improvements, notwithstanding the precarious tenure under which they were occupied.

The first large purchase that was effected was a block of land to the west of the Wairarapa Lake known as "Turakirae." The acquisition of this block was accomplished on the 1st September, 1853, and this transaction was immediately followed by the cession of the Turanganui Block, on the east side of the lake.

These purchases bring the history of the proceedings down to the period immediately connected with the matters alluded to in the petition of the Wairarapa Natives, as it is in connection with these purchases that the questions that form the subject-matter of the aforesaid petition have arisen. It will be convenient, therefore, to now commence to report on the various matters which are referred to me for inquiry under the terms of my Commission, and for the sake of method to deal with such matters in the same order in which the several allegations appear in the petition; but, before proceeding to do so, I beg to inform your Excellency that an inquiry was held at Greytown, in the Wairarapa district, in April last, lasting for eleven days, at which the parties concerned were represented by counsel, and had the opportunity of being examined orally in support of the statements contained therein. By this method a large amount of evidence on the question was elicited, which is included in Appendix A to this report.