

other place-names that passed by the deed. This deed was not signed by Wahapiro, as he was then a captive of the Ngaitahu at Ruapuke Island. It was not signed by Wi Katene either, but when the leader of the New Zealand Company's party visited the district and made "presents" to the Natives found residing on the land Wi Katene received a "present" slightly in excess (to the extent of two pairs of boots) of that received by any other chief.

96. Upon the deed of 25th October, 1839, coming before Mr. Commissioner Spain, he reported (on 31st March, 1845) upon this "present" aspect as follows (Mackay Com., Vol. I, page 56) :—

(a) Herewith I enclose your Excellency a copy of the proceedings in my Court containing the substance of what I stated to the Natives on the subject of this purchase, and the manner in which a proportion of the whole sum ultimately agreed upon to be given to the Natives as a further payment (£800) was appropriated by Mr. Clarke under my sanction and superintendence. The first witnesses examined were called before me by Colonel Wakefield for the purpose of proving the fact that various presents were made soon after the arrival of the Nelson preliminary expedition by the late Captain Wakefield, the then Resident Agent, to the Natives of Whakapuaka, Motueka, and Massacre Bay.

(b) A schedule herewith enclosed showing the appropriation of goods of various descriptions to the amount of £980 15s. to the Natives of the above districts was put in and proved on this occasion, and substantiated by the concurrent testimony of several gentlemen who witnessed this transaction with the Natives, and was subsequently verified by a reference to the books of the company's storekeeper. From this testimony it appeared that the late Captain Wakefield, immediately on his arrival with the preliminary expedition, assembled the resident Natives of the several districts in the immediate vicinity of Nelson and informed them that he was about to take possession of the land by virtue of a purchase made by Colonel Wakefield, at Kapiti, of Rauparaha, Hiko, and others, but that, as it was customary on such occasions to make presents to the resident Natives he was ready to give them certain articles of merchandise, which they were to receive on the distinct understanding that such goods were not to be regarded in the light of a further payment for the land, but merely as presents.

(c) It is impossible to deny to the memory of Captain Wakefield the tribute of praise so justly due for this liberal and judicious policy, and it is to be regretted that a similar course had not been adopted in other districts on the like occasions, in which case I feel persuaded that much of the opposition which in other settlements has so severely retarded the colonists would have been obviated or removed. At the same time it may be remarked that the distinction thus sought to be drawn between a further payment for land and a present was somewhat too fine-drawn for the conception of the Natives, and I think Captain Wakefield carried his assumed position too far in claiming the land under a purchase from the conqueror only, and not admitting, to some extent, the title of the Natives whom he found in actual possession. Thus, while he made them presents to conciliate their friendship and good will and in a manner reconcile them to parting with their land, he refused to admit their title to any of it; and consequently was at no pains to procure from them any acknowledgment of the receipt of the presents or any declarations in writing of the lands which they then virtually consented for such consideration to alienate.

(d) *Had this been done, I have little doubt that the resident Natives would have regarded and acknowledged the transaction as a regular sale and disposal of their lands.* As it was, an over-anxiety not to compromise the company's title under the original alleged purchase in some measure counteracted the beneficial results of the otherwise judicious course adopted by the Resident Agent.

97. The following items appear in the "Statement of all presents made to sundry Native chiefs on account of the Nelson Settlement, by Captain Arthur Wakefield, on behalf of the New Zealand Company."

22nd February, 1842.

Sundries divided amongst the following thirteen chiefs: Ngapaki, Porewa, Ngapiko, Charley, Te Poa, Tongarewa, Tai, Ria, Taro, Po, Ngamamaku, Iti, and Te Manu (Wi Katene te Manu).

	£	s.	d.
130 blankets, at 14s.	91	0	0
13 felling-axes, at 7s. 6d.	4	17	6
13 squaring-axes, at 7s.	4	11	0
13 cwt. tobacco	54	12	6
3,900 pipes	3	18	0
13 kegs powder	14	12	0
13 double guns	63	7	6
13 cwt. biscuits	13	13	0
	250	11	6
(Value received by each, £24 11s. 6½d.)			
Freight charges, &c.	68	18	5
	319	9	11
1 pair boots (Te Manu)	0	9	4
	£319	19	3

On the 12th September, 1842, Te Manu received a further pair of boots, valued at 7s. 6d.