

98. When it is realized that Mr. Commissioner Spain had the power of awarding land to the company where he was satisfied that it had been properly purchased from the Native owners, it would seem that, but for absence of proper records, he may have considered that Whakapuaka (or some other land owned by him) had been sold by Wi Katene and awarded it to the company.

99. Mr. Commissioner Spain's award to the company in the Nelson District was to the extent of 151,000 acres, made up as follows :—

Name of District.	Quantity.	Remarks.
	Aeres.	
Wakatu or Nelson	11,000	Surveyed.
Waimea	38,000	„
Moutere	15,000	„
Motueka	42,000	Partly surveyed.
Massacre Bay	45,000	„
	151,000	

100. The company, to hasten the award, agreed to make a further cash payment to the Natives concerned, and upon this money being paid deeds of release in the following form were taken from the Natives, the one quoted being the one signed by the Natives of Whakapuaka :—

Copy of deed of release signed by the Natives of Whakapuaka in relinquishment of their claims to land at Whakatu (Nelson), Waimea, Moutere, Riwaka, Taitapu (Massacre Bay), excepting their pas, cultivations, and burial-places to the New Zealand Company. Paid to us this day the 24th of August, 1844, by the directors of the New Zealand Company at London through William Wakefield, their principal agent, the sum of £200 in final payment for the relinquishment of all our claims to the land mentioned in the deed to which this is affixed—that is to say, to all our land at Whakatu, Waimea, Moutere, Motueka, Riawka, and Te Taitapu (Massacre Bay) in New Zealand excepting our pas, cultivations, burial-places and wahi rongoa—and we hereby agree to sign a deed to that effect, if called on to do so, to the directors of the New Zealand Company transferring all our interests in the places named with the exception of the reservations above set out.

Witnesses to the signing of the names :—

William Spain, Commissioner—

George Clarke, jun., Protector of
Aborigines—

Henry F. Butt, Curate, Nelson—

Donald Sinclair, Chief Police
Magistrate and Government
Representative—

Paramata te Kiore

Matiu te Mako

Maka Tarapiko

Wiremu Ngaparu

Karitoruie te Aoterangi

On behalf of the
Whakapuaka.

his X mark.

his X mark.

his X mark.

his X mark.

Natives of

GEORGE CLARKE, jun., Protector of Aborigines.

A. McDonald, Manager, Union Bank of Australia, Nelson.

(NOTE.—In the minutes (para. 102, *post*) this release is referred to as being for the Natives of the district of Whakatu or Whakapuaka, which would account for the inclusion of other than Whakapuaka people's names.)

101. Exactly similar deeds of release were taken from the Motueka Natives (consideration £200) and from the Ngatiawa Natives (consideration £100) except that in these cases George Clarke, jun., signed on behalf of the *remaining* Natives of Motueka or Ngatiawa Natives, as the case may be. In the Whakapuaka deed of release, therefore, it might be fair to assume that Clarke signed for the *remaining* Natives of Whakapuaka and that Wi Katene was accordingly represented. As, however, Paramata Wahapiro had by this time returned from captivity, and as he apparently signed the release (as Paramata te Kiore. (See Fox's letter of 25/1/45 and Nelson M.B. 2/209, "Te Kiore was of Ngatitama")) it was probably considered immaterial whether Wi Katene signed or not.

102. This view of the practice of obtaining the principal chiefs' signatures is borne out by minutes of 24th August, 1844, which read as follows :—

(Mackay Com., 1/61.) The deed of release for the district of Motueka was then executed by the chiefs, Ngapiko, Te Iti, Aperahama, and others, and by Mr. Clarke on behalf of the other Natives of Motueka. Mr. Clarke having then stated, in reply to a question from the Commissioner, that he had obtained the signatures of as many of the principal chiefs as he considered requisite, the sum of £200 was paid over to the above chiefs for the district of Motueka.

The deed of release for the Natives of the district of *Whakatu or Whakapuaka* and the Natives of the Ngatiawa Tribe were then produced, and the Natives were paid the sums awarded them as follows : Whakatu, £200 ; Ngatiawa, £100.