

No. 9.

Copy of a Letter from Mr. MONRO to the Hon. J. C. RICHMOND.

SIR,—

Native Lands Court Office, Auckland, 15th August, 1867.

I have the honor to acknowledge the receipt of Mr. Under Secretary Rolleston's letter, of the 8th instant (No. 415-1), enclosing an account from the *Southern Cross* newspaper, 23rd July, of the proceedings at the recent sitting of the Native Lands Court at Turanganui, and requesting me to report as to its correctness.

I reply I beg to return the Enclosure above alluded to, which, as amended, fairly represents what passed on that occasion.

I have, &c.,

The Hon. J. C. Richmond, Wellington.

H. MONRO,
Judge Native Land Court.

Enclosure in No. 9.

Report of Sitzings of the NATIVE LANDS COURT.

ON Wednesday, the 3rd July, the Court opened for the transaction of business.

H. Monro, Esq., Judge, presided. The two assessors were Wiremu Te Wheoro and Tamihana Tunui. On the Natives having assembled, Mr. Monro said that the Court was now open and ready to go on with the cases which had been advertised for hearing, but that Captain Biggs, who was Agent for the Crown, not having arrived from Wellington, they would have to adjourn until to-morrow, when it was expected he would return. He must say that gentleman ought to have been there, inasmuch as there had been abundance of time for him to have gone to Wellington and be back in time for the sitting, as the notices had been published for two months. The Court was then adjourned until the next day.

Thursday, July 4.

Captain Biggs, the Government Agent, having arrived this morning, the Court opened for business again at 11 a.m. There was, as on the last day, a large concourse of people, all in great expectation of at last having, at all events, those claims investigated, the surveys of which had been completed, although rumours had been afloat that the Crown Agent would apply for an adjournment of the investigation of the title to the whole district.

The Court having opened,

Captain Biggs, who appeared as Agent for the Crown, addressing the Judges, said that he should have to make an application for an adjournment of all the cases, on several grounds:—1st, that the Government had only lately discovered a clerical error in the second clause of the East Coast Land Titles Investigation Act, which was that the word "include" was inserted instead of the word "exclude," thus altering the meaning and effect of the Act; 2nd, that the Government had not had sufficient time to enable them to get evidence as to what lands belonged to the rebels; and 3rd, because there was a combination among the Natives in the district to withhold all information, which he had not been aware of until a short time before he had departed for Wellington, and that he should have to go to the Chatham Islands in order to procure the required information. On those grounds he would apply for an adjournment until after the Assembly should legislate on the subject, by which time he would be enabled to have all the evidence ready that would be required.

Mr. J. W. Preece said that he appeared as agent for some of the friendly Natives of the Aitanga-a Mahaki tribe. He would object to an adjournment, unless the Government were prepared to pay the costs. The Natives had been put to a very great deal of expense and disappointment by meeting here to attend the sitting of the Court, not only on this occasion, but on two others, and they were led to believe that this time, at all events, they would not be doomed to disappointment. Doubtless, the error that had been discovered in the Act would altogether defeat the object of the Government, and would be a good ground for them to ask for an adjournment; but that the Government had not had time to enable them to bring forth the necessary evidence, as stated by Captain Biggs, he could not coincide with. The Court was probably aware that eight months had elapsed since that gentleman had been appointed as Crown Agent; surely there had been ample time during that period for the Government to obtain all the evidence they required, particularly as it appeared by one of the proclamations that the Hon. J. C. Richmond himself made an application to the Court to hold a sitting over two months ago.

The Judge said that it appeared to the Court there was no other course open but to adjourn; still the Court felt that the Natives had been subjected to a great deal of inconvenience. The action taken by the Government in regard to the sitting of the Court in the East Coast would tend very much to destroy the confidence of the Natives in the Court. The Natives had sent in applications to have their titles investigated in the usual way before the passing of the East Coast Land Titles Investigation Act, and a Court was advertised; but obstacles were thrown in the way, and the Court did not sit. They had assembled and been disappointed on two occasions. Then this Act was passed, and they were led to believe that their titles would be investigated by the Native Lands Court, and that those who had not been in rebellion would have their land awarded to them. He believed that they were perfectly satisfied to abide by the decision of the Court, but before any sitting was advertised they saw land which they claimed surveyed for the purposes of Military settlement, without reference to those who may prove to be the owners of it, while they on the other hand had been prevented from surveying land which they wished to bring before the Court. Now a flaw was alleged to be discovered in the Act, and they were to be told that they, for a third time, had assembled to no purpose. There appeared to be an error in the Act, and one of so serious a nature as to render it unworkable. It was a matter that a European would readily understand, but very difficult to explain to the satisfaction of a Native. The Court could not entertain the question of the Government not having had sufficient time to get up their case, for there had been ample time for them to have all the evidence ready, and the sittings were at the direct request of the Government. He would address a few words to the Natives, and then