

PAPERS RELATIVE TO REPORT OF THE PUBLIC PETITIONS COMMITTEE ON PETITION OF THOMAS CRAIG.

No. 1.

The Hon. D. McLEAN to Major HEAPHY.

(No. 464-1.)

SIR,—

Native Office, Wellington, 12th December, 1871.

I enclose a file of records relative to the case of Thomas Craig, who last Session petitioned the House of Representatives for compensation for losses he had incurred in certain legal proceedings at the suit of a Native named Mohi Mangakahia.

Among the enclosed papers you will find a printed copy of the Report of the Public Petitions Committee on Craig's Petition.

I have to request that you will have the goodness to undertake, on behalf of the Government, the inquiry recommended by the Committee to be instituted.

You will of course understand that, as the case has been decided by the Supreme Court, your inquiries will not be as to the merits of the case, but will be confined solely to the question of the means, if any, by which relief can be given to Mr. Craig in his present position.

I have &c.,

DONALD McLEAN.

Major Heaphy, V.C.,
Trustee, Native Reserves, Wellington.

No. 2.

Major HEAPHY to the Hon. D. McLEAN.

SIR,—

Auckland, April, 1872.

I have the honor to report that, in pursuance of the directions contained in your letter of 12th December, 1871, I have held an inquiry at Whangapoua to ascertain how relief could be given to Mr. Thomas Craig in enabling him to remove certain logs, his property, lying in the Waitikuri Valley.

I may premise that the ordinary manner of removing such logs is by "driving" or floating them out during an artificial freshet, caused by suddenly liberating water accumulated above a driving-dam. It appeared, however, in the present case, that the driving force is insufficient, and that the logs take the ground on the banks and in the shallows of the stream, rendering frequent access indispensable to the stream-bed and margin between the driving dam and the "booms" at the tidal flat.

But a considerable portion of this space, the Hikutawatawa Block, is held under a Crown grant, by Mr. Harris, who had objected to Mr. Craig's intrusion upon it.

Over the Hikutawatawa Block the Crown has the right to take roads to the extent of 5 per cent. of the area; and it was maintained by certain persons interested in the issue of the case, that in order to remove the logs the river bed might be declared a road. But unless the river bed offered the best site for a road (which was not the case), taking it there would have been an abuse of the power given by the Act. "The Native Land Act, 1865."

It was not, therefore, practicable to afford to Mr. Craig absolute power to remove all his logs. But that gentleman was entitled to expect to have afforded to him such facilities of access to his property as an ordinary road would give, and his agent intimated that such a road "touching the creek at various places, would be useful." See Mr. J. S. Macfarlane's letter of 16th February, 1872, appended.

The increasing traffic of the district required that a road from Coromandel towards Whangapoua should be laid out. The Provincial Government had already initiated this work on the Coromandel side; I determined, therefore, to survey a line down the Waitikuri Valley. But in order that any road, so taken in the Waitikuri and Hikutawatawa, might form part of a comprehensive and well-considered scheme of roads for the district, I carefully examined the country between Coromandel and the East Coast, and laid out a greater extent of road than the requirements of Mr. Craig indicated. This course was necessary to avoid the probability of being unduly influenced by mere local considerations.

The Provincial District Engineer had already surveyed a road from the flat at Coromandel to the head of the Karaka Valley on that side of the dividing range. See plan herewith.

With the assistance of Mr. Sub-Inspector Gundry, of the Armed Constabulary, who had been temporarily detached for this service, I examined the various passes of the dividing range, and eventually determined on taking the road over a saddle to the northward of Te Ranga, at an elevation of 1,243 feet.

The side of the range towards Whangapoua is very steep—the inclination in many places being precipitous—causing the survey of a carriage road to be both tedious and difficult. By careful management, however, Mr. Gundry, to whom this part of the work was assigned, succeeded in carrying a road down to the Waitikuri, on a gradient that will not exceed one in ten.