

A question has been raised concerning the right of half-castes, who have come into possession of land awarded by the Government in satisfaction of old land claims, to share in the proposed apportionment of land to be made to these people in fulfilment of promises; but this point can only be determined on ascertaining the principle upon which the distribution is to be made. (1.) Whether it was the intention of the Government of the day to make provision for the whole of the half-caste population who were resident within the boundaries of the blocks severally purchased from the Ngaitahu in consideration of their descent on the maternal side from the original proprietors of the soil; or (2.) Whether it was merely intended to award land to those who were otherwise unprovided.

If the latter proposition indicates the intention correctly, then some of those whose names appear in the return would be disentitled to receive free grants as half-castes. I trust, however, that the course indicated in the first place is the principle to be followed, otherwise it will appear that those who have obtained land through the forethought of their parents are to be treated with less consideration than those who have descended from the thriftless and improvident.

As regards the conditions to be imposed on the grantees, I find on reference to "The Native Grantees Act, 1873," clauses 4 and 5, that this Act specially provides that in all grants issued in fulfilment of any contract, engagement, or promise, the grantees shall be deemed to be tenants in common and not joint tenants, excepting when the grant is made expressly to the grantees as joint tenants; as had it not been for that important provision, I purposed recommending that this precaution should be taken for the protection of individual interests, otherwise the survivors of deceased grantees, where a number held under one title, would secure a monopoly to the detriment of persons legally entitled to succeed.

The grants should also contain a clause restricting the alienability of the land, except by lease for twenty-one years, with a view to secure the property to the grantees, and a maintenance to their descendants; as should this precaution be overlooked, the object of the Government in making them this provision would be entirely defeated, as there is little doubt that in the majority of the cases, if the land was placed at the disposal of the grantees, they would soon sell it and spend the proceeds.

The papers C, D, and E, relating to the apportionment of the land at the Neck, Stewart Island, together with a map of the same, are appended for the information of the department.

I have, &c.,

ALEXANDER MACKAY,

Commissioner.

The Under Secretary, Native Department.

### Enclosure 1 in No. 1.

B.—SCHEDULE of Land included in application made to Waste Lands Board, Invercargill, 17th April 1874, to satisfy Half-Caste Claims.

| <i>Block V., Campbelltown Hundred.</i>    |     |     |     | A.  | B. | P. |
|-------------------------------------------|-----|-----|-----|-----|----|----|
| Sections 3, 4, 5, 6, 7, and 8, containing | ... | ... | ... | 215 | 0  | 5  |
| Small Reserve at rear of do.              | ... | ... | ... | 55  | 3  | 30 |
| Bush Reserve                              | ... | ... | ... | 155 | 2  | 0  |
|                                           |     |     |     | 426 | 1  | 35 |

*Block II., Jacob's River Hundred.*  
Sections 19, 20, 21, 22.

*Block IV., Aparima Hundred.*  
Sections 5, 8, 9, 7, 6, and 10.

*Block II., Aparima Hundred.*  
Section 30.

*Block XIII., New River Hundred.*  
Section 7.

*Block XX., Invercargill Hundred.*  
Sections 30, 48, and 49.

*Block VIII., Toetoe Hundred.*  
Section 3.

*Oteramaka Hundred.*  
18 acres adjoining land purchased by Wm. Curran.

| <i>Block IX., Invercargill Hundred.</i>                                |     |     |     | Acres. |
|------------------------------------------------------------------------|-----|-----|-----|--------|
| Bush Reserve                                                           | ... | ... | ... | 8      |
| Waimatuku Bush                                                         | ... | ... | ... | 200    |
| Adjoining southern boundary of land purchased by Mr. Ellis, near Orawi | ... | ... | ... |        |
| Stream, Waiau District                                                 | ... | ... | ... | 500    |
| Murray River, Stewart Island                                           | ... | ... | ... | 100    |
| At the first river (Orautahi?) to the eastward of Cave Point, Stewart  | ... | ... | ... |        |
| Island                                                                 | ... | ... | ... | 100    |
| On the eastern side of Saddle Point, Stewart Island                    | ... | ... | ... | 20     |
| Seaward Bush, Block II., Invercargill Hundred                          | ... | ... | ... | 70     |