

AT NEW PLYMOUTH, FRIDAY, 12TH MARCH, 1880.

MR. CHARLES DOUGLAS WHITCOMBE, Commissioner, Crown Lands, Taranaki, examined.

846. *The Commissioners.*] You are the Commissioner of Crown Lands for this provincial district?—Yes.

847. You have heard the evidence which has been given by Mr. Parris and Major Brown with regard to the reserves made for the Natives within the confiscated boundaries. Can you let us have a statement showing the Crown grants which were prepared for the Natives, and distinguishing those which were issued from those which are still in your custody?—Yes.

848. Can you supply a list of all the Crown grants which you have received instructions to prepare, but which have not yet been prepared?—Yes. They have been delayed from different causes.

849. Will you include an explanation of these causes in a column of remarks in the return?—Yes. [*See Appendix.*]

850. Did you receive any instructions from the Compensation Court on the subject of issuing any grants in the case of awards of the Court?—I received a letter from Judge Fenton, instructing me that all Crown grants to Natives of lands in the confiscated lands were to contain an "inalienation" clause: and when I went to Wellington to see the Secretary and Under-Secretary for Crown Lands, I pointed out to the Government that I thought it a most important provision as regarded the pieces individualized: yet I hoped it was not going to apply to large blocks of confiscated land to be returned, otherwise it would have a bad effect upon settlement; and I therefore hoped that it would not apply to all confiscated lands in the district.

851. Prior to that time had you received any instructions from the Government or from the Compensation Court in respect to inalienable grants?—No; I found in my office Native grant forms with the inalienation clause; but the clause seems, in most cases, to have been struck out: for instance, the whole of the grants for Waitara East and West had been executed without the clause.

852. Do you remember what the words were to be, in the inalienation clause?—No; it was not in my time.

853. Will you be good enough, in the return you will prepare, to show all grants that contain the inalienation clause?—Yes.

854. During whose administration was it that the Crown grants were issued without the inalienation clause, for the large blocks you refer to in Waitara East and West?—My predecessor's, Mr. Stevenson Smith.

855. What has been the effect of issuing the grants in that way?—That nearly the whole area has fallen into the hands of settlers.

856. To what extent do you estimate this has occurred?—I think certainly more than three-fourths of the block.

857. What area do you suppose these three-fourths would cover?—I cannot speak as to the area. The whole block had been dealt with before I came into office; but I can get the area.

858. Are you aware whether these Natives, as a general rule, after acquiring their Crown grants, lived upon the specific pieces of land awarded to them, or were they living promiscuously over a block on tribal title?—They generally lived in pas or in a collection of huts.

859. Were they cultivating specific allotments?—They were generally cultivating patches in common, in the vicinity of the pa or dwelling-house.

860. Then what are they doing now?—They still retain the areas in the vicinity of the pas.

861. But the particular Natives who received pieces which they sold: do you know what they do now?—Mr. Parris informs me there were certain reserves made at that time, and when the Natives have disposed of their grants they go back upon these reserves, of which there are several.

862. You were present a few days ago when we were examining Mr. C. W. Hursthouse, the surveyor, with respect to the position of the Native reserve of 700 acres in the Waipuku-Patea Block, at Stratford?—Yes.

863. Will you tell us what are the circumstances connected with the position of the Town of Stratford at that place, and how the Land Board proceeded to dispose of it?—Some time during the years 1876 and 1877, the Land Board was very anxious to extend the surveys between Manganui and Patea Rivers; but, in doing that, they thought it desirable to establish a town on the Mountain Road, at its intersection by the Patea River. In looking at the terms of the Proclamation regarding the Waipuku-Patea Block, there was a doubt as to where the reserve of 700 acres for the Maoris was situated.

864. How did that doubt arise?—The Waipuku-Patea Block was waste lands of the Crown, with the exception of 700 acres reserved for the use of the Native owners; but the Board desired me to look into the question of this reserve, and as to where it was situated. It was not considered to be legally gazetted. I accordingly saw the Civil Commissioner, also Commissioner of Native Reserves, on the subject; and he informed me that the site of the Native reserve was not definitely fixed, and that he would make arrangements so that we might deal with the piece marked on the map as 700 acres. The Board, secondly, delayed dealing with the matter until it heard further from the Civil Commissioner. On the 28th May, 1877, I received the following information from the Civil Commissioner: "Sir,—I have the honor to state, for the information of the Land Board, that I have communicated with the Chief Surveyor, with the approval of the Hon. the Premier, as to the surveys in the Patea confiscated lands for the purpose of sale going on at once, without waiting for the formal handing over of the land by the Government: it being desirable that the survey, sale, and occupation of the land should proceed without any apparent hesitation or delay. I shall be happy to afford the Board any information that may be deemed requisite, verbally or in writing.—I have, &c., CHARLES BROWN, Civil Commissioner." That letter was laid before the Land Board the same day (28th May, 1877), as it was a sitting-day of the Board. The following are extracts from the minutes of the Land Board: "A letter from the Civil Commissioner, dated 28th May instant, was read, stating that he had notified to the Chief Surveyor the approval of the Premier that the confiscated lands south of the Patea River, on the Mountain Road, should be at once proceeded with." The Civil Commissioner then produced a plan