

1880.

NEW ZEALAND.

MIDDLE ISLAND NATIVE LAND PURCHASE COMMISSION

(CORRESPONDENCE RELATIVE TO).

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

The COMMISSIONERS to His Excellency the GOVERNOR.

SIR,—

Auckland, 9th August, 1880.

In February of last year we were honoured with your Excellency's Commission to inquire into certain matters connected with the purchase of Native lands in the Middle Island of New Zealand. We at once addressed ourselves to the task assigned to us, and have gone on with our work with all diligence, until compelled to suspend proceedings in consequence of our receiving an intimation from the Hon. Native Minister that further expenditure on account of the Commission would not be authorized. Under these circumstances we feel it to be our duty to report to your Excellency the position in which we find ourselves placed with reference to the business intrusted to us, in order that we may receive your Excellency's further commands. We shall take the liberty of submitting for your Excellency's information a narrative of our proceedings in prosecuting the inquiry which we were required to make. We would premise that in the course of our proceedings we have encountered many obstacles, some of which we are of opinion need not have been raised, but the result of which has been to cause a delay which would not otherwise have occurred. On the receipt of our Commission, on the 3rd March, 1879, we held a sitting in Wellington on the 13th of that month. Mr. Izard appeared as counsel for the Natives interested, and represented that an adjournment for some weeks would be necessary before opening the inquiry, giving reasons, in which the Commissioners fully concurred. A formal application was accordingly made by him on behalf of his clients (Mr. Taiaroa being present and assenting) for such an adjournment, and it was finally arranged that the Commission should sit at Christchurch on the 28th April.

On the day fixed the Commission sat at Christchurch, and, on the application of the counsel for the Natives, adjourned to Kaiapoi.

In opening the inquiry, and frequently during its progress, the Commissioners expressed their desire to consult the convenience of the Natives interested by holding their sittings at such times and in such places as would best suit them. The object which we set before ourselves from the outset was to make the inquiry complete and exhaustive, so that there might be no ground left for a future re-opening of the questions at issue between the Natives and the Crown. We resolved to give to the Natives the fullest opportunity of stating their whole case in their own way, reserving only to ourselves the option of seeking such further evidence as we might consider necessary after their case had been put before us by themselves or their counsel.

The Commission sat at Kaiapoi on the 5th of May, and took much important evidence from a large number of the Ngaitahu Tribe with reference to the purchase of the so-called Ngaitahu Block, also from Messrs. Kemp, Mantell, and Hamilton, through whose agency, as Land Purchase Commissioners, the main portion of the Middle Island was acquired from the above original owners. During the sitting at Kaiapoi the Commissioners met with the first obstacle to their proceedings: The counsel for the Natives desired the production of the original deed of cession of the Akaroa Block, and the Commissioners applied to the Government for it, with other original deeds. The Hon. Commissioner of Crown Lands, Mr. Stout, refused to allow these deeds to be sent out of the office. A second difficulty arose in consequence of the refusal of the Hon. the Colonial Treasurer, Mr. Ballance, to authorize imprest advances which had been applied for and were required to meet current expenses, on the ground that there had been no vote by Parliament for the purpose. For these and other reasons, not necessary to be stated here, the Commissioners found it necessary to adjourn, which they did on the formal application of Mr. Izard, counsel for the Natives, who stated that his clients were not prepared to proceed with the inquiry of the Akaroa purchase without the production of the original deed of cession. An adjournment to Wellington *pro forma* was proposed and acceded to by the Commissioners, with a view of affording opportunity of communication with the Government with reference to those and other questions (among others, the appointment of a person to take the evidence in Maori) which had arisen in the course of our proceedings, and of coming to some understanding with regard to resuming the inquiry at a future date.