

1886.
NEW ZEALAND.

REMOVAL OF RESTRICTIONS ON SALE OF NATIVE LANDS

(REPORT BY MR. COMMISSIONER BARTON ON).

Laid on the Table by the Hon. Mr. Ballance, with the Leave of the House.

G. E. BARTON, Esq., to the Hon. the NATIVE MINISTER.

GENERAL REPORT.

In accordance with the desire expressed by the Hon. the Native Minister, at Tauranga on the 26th April, 1886, that, for the information of Parliament, I should report to him generally on the work done by the Commission to date, I have the honour to state as follows:—

1. On the 30th November, 1885, His Excellency the Governor issued his Commission, setting forth that restrictions had been placed on the alienation of certain lands belonging to aboriginal natives, which restrictions could only be removed by His Excellency the Governor; that certain Europeans, having entered into negotiations for the purchase or lease from Natives of blocks of land held under such restrictions, had applied for the consent of the Governor to the alienation of such lands; that it was desirable that such consent should only be given after due and formal inquiry; and that His Excellency appointed me as Commissioner “to inquire into all applications for the removal of restrictions referred to me by the Hon. the Native Minister or by his direction.”

2. I was specially directed by the Commission “to ascertain whether the persons to whom the lands were proposed to be alienated had acted with good faith in their negotiations with the Natives, and were paying sufficient prices,” and to report in writing upon all such applications referred to me.

3. Shortly after the issue of the Commission, applications for the removal of restrictions upon eighty-three blocks of land were referred to me by the Hon. the Native Minister. These blocks were situated in the following districts: Wellington, Wairarapa, Napier, Gisborne, Opotiki, Whakatane, Matata, Tauranga, Rotorua, Taupo, Waikato, Te Aroha, Thames District, Coromandel, Auckland, Kaipara, Hokianga, Bay of Islands, Mangonui, Whangarei, Taranaki (Waitara), Palmerston District, Invercargill (Southland).

4. The month of December, including the holidays, was consumed in the necessary preparations for the work of the Commission—that is, in collecting information respecting these eighty-three blocks, in order to communicate with their owners and purchasers, and in the study of such papers in the Native Office as would show me the special reasons (if any) why restrictions were imposed, or why it had not hitherto been deemed right to allow their removal. These researches necessarily occupied some time. On the 5th of January, 1886, I arrived in Tauranga, to commence there the public work of the Commission, that being the district where inquiry was most urgently called for; but it was not till the 19th January that any of the parties summoned were able to attend with witnesses before me. I have therefore been engaged in hearing cases from the 19th January till the present time.

5. Up to the present time the Commission has sat in Tauranga, Whakatane, and Rotorua, engaged in hearing evidence and making reports. Thirty-two cases have been dealt with, and 118 witnesses examined on oath. Seventeen cases have been reported upon as to the merits, eight cases have been withdrawn by the parties, and seven I have refused to report upon, it not being within my province to deal with them. In the seventeen cases reported upon the evidence has in each case been taken down in writing. That of the Maori witnesses has been recorded in their own words by the interpreter, and his translation, as given at the time, has been written down by the Commissioner, and all evidence has been authenticated by the signature of each witness appended to his own testimony. If, therefore, any report of the Commissioner should be called in question, the materials on which it is founded are all on record.

6. In order to carry out the instructions in my Commission that I should “ascertain whether the persons to whom the land was proposed to be alienated had acted with good faith to the Maoris,” I have in each case inquired into all that had been done in the course of the negotiations; but I found it by no means an easy task to ascertain the existence of improprieties, when such may have existed in the conduct of purchasers or their agents; my difficulty arising partly from the one-sided nature of the inquiry, partly from the fact that large numbers of the Natives interested in the principal lands under consideration had departed to the gumfields just before my arrival in Tauranga, and partly from the disinclination of the Maoris brought before me for examination to disclose any misconduct, even although they had suffered from it. The Natives whom I examined