

connection with them is in such a state of advancement as will enable the Court to proceed with and complete the whole of the business that is likely to be brought before it at its future sitting.

With respect to the Port Chalmers Reserve, the Court has ordered that Sections 401, 403, and 404 should be vested in Horomona Pohio, Hoani Wetere Korako, Hori Kerei Taiaroa, and Honi Topi Patuki and their successors, in trust for all the members of the Ngaitahu Tribe who are now or may be hereafter resident south of and including Kaiapoi, in the Province of Canterbury. The claim to a portion of the reserve comprised in Section 402 was opposed by the Presbyterian Church, and the case was adjourned *sine die* on the application of Mr. H. Harris, who appeared as counsel for the opponents. With regard to the other portion of the reserve alleged to be within the Town Belt, the Court has not given a final decision, but has left it open for the opponents or claimants respectively, after three days' notice on the other side, to move the Court at a future sitting to dismiss the case on production of deficient evidence, or to order a grant in default of such evidence being produced.

The application of the Natives to land in Princes Street was dismissed, the land in question being held under Crown grant; and the applicants were instructed that they would have to go to the Supreme Court.

• With regard to the claim made by the Natives to Pukekura (lighthouse reserve at Taiaroa Head), the boundary of the Native reserve has been fixed by the Court at the line of fence erected by the Provincial Government, the Natives getting a grant to one acre within the Government reserve at the spot mentioned in the deed of sale as having been excepted for them. This will secure seventeen acres to the Government, which is ample for all purposes in connection with the lighthouse. The landing-place to the pilot-station—the only place suitable for the purpose—has been decided by the Court to be within the boundaries of the Native reserve. The land, however, has been made inalienable excepting to Her Majesty. An arrangement will have to be entered into with the Native owners to secure the permanent use of it to the Government. There is an existing agreement at present between the Provincial Government and the Natives whereby the former pay the reputed owners a rental of £2 10s. per annum for a right to use the beach as a landing.

The Court has ordered, in final extinguishment of all claims and engagements created under Kemp's deed, that land to the extent of 2,094 acres should be awarded to the Natives out of Crown lands within the Province of Otago, out of which 1,000 acres have been allotted in satisfaction of the claim of those Natives who signed the deed, and to the immediate descendants of those who were parties to the sale but never received any share of the land reserved for Native purposes within the boundaries of that purchase, as stipulated by the deed.

Four hundred and ninety acres of the award, including land comprised in a fishery easement, has been allotted to the Moeraki residents, in satisfaction of their claim under the deed, and 494 acres to the Purakaunui residents. It was considered that the claim of the Waikouaiti Natives, under the deed for additional land, had been satisfied by the extension of 593 acres made to the reserve by Sir George Grey, and the Court merely awarded two small pieces of land as fishery easements.

The award of 494 acres made to the Purakaunui residents is rather in excess of the quantity they were entitled to, at an average of 14 acres per soul, calculated on the original census; but, as it was found very difficult to secure anything like a minimum of good land in the neighbourhood of their reserve, the Natives expressed themselves willing, in consideration of the various advantages they would acquire, to accept land of an inferior character in greater quantity, as the place selected gave them access to shell-fish, and secured to them an old eel-fishery which they were anxious to possess.

Enclosed, I beg to hand you copies of correspondence addressed to his Honour the Superintendent and to the Commissioners of Crown Lands here, relative to the setting-apart of Crown lands in the province awarded by the Court to the Natives in final extinguishment of all claims under Kemp's deed of purchase, together with a schedule of the lands selected. In conclusion, I have much pleasure in reporting that the whole of the cases dealt with by the Court have been finally and satisfactorily concluded; and to tender the Government my sincere thanks for the honour conferred in appointing me to the important post of Crown Agent on this occasion.

I have, &c.,

ALEXANDER MACKAY,
Native Commissioner.

The Under-Secretary, Native Department, Wellington.

No. 23.—[Extract from Appendix to the Journals, House of Representatives, H.—No. 9, 1872.]

REPORT OF THE COMMITTEE ON MIDDLE ISLAND NATIVE AFFAIRS.

THE Committee, to whom was referred the consideration of the Middle Island Native affairs, have the honour to report that they have agreed to the following resolutions: (1.) That the evidence taken by the Committee in reference to the claims of the Natives of the Middle Island, though far from complete, leads them to the conclusion that these claims have not hitherto had that consideration which they deserve. (2.) That the evidence in reference to the claims for the Princes Street reserves convinces the Committee that this case has been hitherto dealt with rather on legal and technical grounds than, as the Committee considers it should have been treated, in the interests of the Natives, with regard to the broader considerations of equity and good faith. (3.) That, in the opinion of this Committee, a further inquiry should be instituted into the merits of these claims by an impartial Commission, such as that proposed in the Hawke's Bay Native Lands Alienation Commission Act, now before Parliament, which should act in such inquiry as a Court of equity and good conscience.

21st October, 1872.

JOHN SHEEHAN, Chairman.