

MINUTES OF EVIDENCE.

FRIDAY, 11TH JULY, 1890.

Sir ROBERT STOUT attended and stated.

Sir Robert Stout: I appear on behalf of the Natives interested in the reserves set aside in the district generally called the Waimate Plains, which includes most of the Natives from the Waitotara up to Mokoia. Mr. Sinclair appears for the other Natives west of that. In appearing before the Committee the first thing I would say is that I wish it to be understood that personally I have no objection to the constitution of the Committee, but I think it only right to say that it is to be regretted that some of the Natives who have feelings in the matter were not consulted in the selection of the Committee and did not get their desires in the matter. I wish to make that statement so that I shall be understood. I shall give a very brief sketch of the reserves, and how they have been dealt with. It would be unnecessary for me to go fully into the history of the matter, because it has been dealt with at length in the reports of Sir F. D. Bell and Sir William Fox. Shortly put, then, the origin of these reserves was this: In the years 1864 and 1865 Proclamations were issued by the Governor confiscating large portions of land on what is called the west coast of this Island. In the Proclamations, however, special care was taken to state that certain Natives—that is, Natives who remained loyal to the Government—should not have their lands confiscated. Extracts from the Proclamations, and what they meant, appear in the blue-books, G.-2, pages 45 and 46, vol. ii., 1880, of the Appendices. That is the second report issued by Sir William Fox and Sir F. Dillon Bell, and they quote in the blue-book an extract of the Proclamation of Peace and the Proclamation of Confiscation, and show that the effect of these Proclamations of Confiscation and of Peace was broadly this: that the land of the rebels was to be confiscated and that of the loyal Natives was to be preserved to them. They go on to point out that in the tribes that were in rebellion there were hapus and individuals that remained loyal to the Government, and that these had a right to assume that the Confiscation Proclamation of the Government would not, if they remained loyal, apply to them, and that their lands would be preserved to them. Down to 1879 no special land had been selected and set apart for the loyal Natives. Promises had been made that even the rebel Natives might have reserves made to them. These promises had never been fulfilled, although made by successive Governments and Governors. Up to 1879, when the survey on the Waimate Plains was stopped, the promises had never been carried out. In consequence of the proceedings on the Waimate Plains, when the surveyors were stopped by the Natives, the land ploughed, and other trouble took place, the Act of 1879, called “The Confiscated Lands Inquiry and Maori Prisoners’ Trial Act, 1879,” was passed. That Act gave power to appoint Commissioners to inquire into the Native grievances in connection with lands on the west coast of the North Island. Under that Commission, as I have said, Sir William Fox and Sir Dillon Bell were appointed, and they furnished various reports, especially two valuable reports which are to be found in Vol. ii. of Appendices of 1880, to which I have already referred. Reports were subsequently furnished by Sir William Fox, as Sir Dillon Bell was appointed to and assumed the office of Agent-General. Now, after these Commissioners were appointed, notices were issued by Sir William Fox to the Natives; and to one of these notices I wish to call special attention—not that there was anything new in the notice so far as the Natives were concerned, but because it simply reiterated all the promises that had been made to the Natives for more than twenty years past. This notice Sir William Fox, in March, 1881, published in Maori, and sent to all the chiefs and people of the Waimate Plains. That notice appears in G.-5, page 4, Vol. ii. of the Appendices for 1881. I shall quote one passage from it as showing what was the intention of the Commissioners, and also what was the intention of the Government in passing subsequent legislation. Sir William Fox said, “Now, the first thing that I have to do is about the reserves—to ascertain how they should be divided among the different hapus, so that each may know what is its own, and receive its own rents if it leases any of that land. I am now busy getting the names of the people of each hapu, and I have sent surveyors to mark off the shares of each hapu in each reserve. As soon as that is done I will inform the Governor and send in the plans, and he will give a Crown grant to each hapu for its own piece of these reserves. Then that piece will be theirs and their children’s for ever: their names—the names of each of them—will be plain on the Crown grant, and there will be no more disputing about it.” So that the Committee will see that Sir William Fox, by this notice to the Maoris urging them to come in and meet him in order to secure peace on the West Coast, was only repeating what had been laid down by Sir George Grey in the Proclamation of Peace—namely, that the peaceable Natives would get lands for themselves and their children for ever, and should manage them, and get rents, &c. There was set apart by Sir William Fox (here is the plan) what was called a continuous reserve. [Plan produced and explained.] That was his report of 1881. He succeeded—he and Sir Dillon Bell—admirably with the Maoris. He had pacified them, or most of them, and they were able to proceed with their work. Now I come to what was done by Parliament in connection with these reports, and the Committee will see that the practical thing it has to do is to say what legislation shall now be passed to do away with the injustice to the Maoris by the non-carrying-out of the promises and pledges made by the various Parliaments and Governments to them. The next Act that has any reference to them is the Act of 1880, called “The West Coast Settlement (North Island) Act, 1880,” which empowers the Governor to take power to settle their claims; and under it Sir William Fox was appointed to settle the claims and make reserves; which reserves were made in 1881. There was a section in this Act of 1880 which