

Subsequent petitions on the same subject were sent to Parliament in 1875, 1876, and 1878.

In 1876 leave was given in the Legislative Council to introduce an Act to extend the operation of "The Crown Redress Act, 1871," and to enable certain land-claims against the Crown to be heard and determined in the Supreme Court of New Zealand. The Bill, after passing the second reading, was referred to a Select Committee, who reported that the Bill in its then shape would not afford the aid to its promoters which it was intended to give, and that at that period of the session it would be useless to attempt so to amend its provisions as to make it beneficially operative:—

"That the claims of the Natives of the Middle Island are such as, having regard to the promises made to them on behalf of the Government, *the Legislature should no longer permit to remain undefined and unwedressed.*

"That, should no settlement thereof be arrived at during the recess, such legislative measure as may be required to secure the investigation and satisfaction of these claims should be brought before Parliament at as early a date as possible during the next session of the General Assembly."

The Government did not oppose the introduction of the Bill; all that seemed to be feared was the great expense which, in event of the Bill becoming law, would be entailed on one side or the other.

On the motion being put, "That the report of the Select Committee on 'The Crown Redress Act, 1871,' Extension Bill be taken into consideration: that the Council doth concur in the recommendation contained in that report," the Hon. Dr. Pollen, the Colonial Secretary, stated, *inter alia*, that he would not oppose the resolution, and that he accepted, on the part of the Government, the responsibility of making the inquiry and endeavouring to arrange the question.

In reply to certain inquiries made by Judge Fenton relative to the petition of the Middle Island Natives dated the 25th March, 1874, Mr. Kemp, the officer who negotiated the purchase of the tract of territory known as the Ngaitahu Block, states as follows:—

"In reference to that part of the deed which refers to the setting apart of further reserves by the Government, I think that the impression on my mind, and on the mind of the Natives made at the time, was that the provision hereafter to be made was one which was to be carried out in a liberal spirit, and in such proportions as to meet the wants and provide for the general welfare of the Natives resident at the different settlements at the time the purchase was made."

In a despatch from Governor Grey to Earl Grey, dated the 7th April, 1847, His Excellency points out that the Natives do not support themselves solely by cultivation, but from fern-root, from fishing, from eel-ponds, from catching birds, from hunting wild pigs (for which they require extensive runs), and by such like pursuits: "To deprive them of their wild lands, and to limit them to land for the purpose of cultivation, is, in fact, to cut them off from some of the most important means of subsistence."

In a memorandum attached to a despatch from Governor Grey to the Right Hon. W. E. Gladstone, dated 14th September, 1846, allusion is also made to the importance of setting apart land of sufficient extent to provide for the wants of the Native population, as the following extract will show:—

"I think it proper to observe generally that the system of Native reserves, as laid down by the New Zealand Company, although an admirable means of providing for the future wants of the aborigines, is in some respects insufficient for their present wants, and ill adapted for their existing notions.

"It will be found necessary, in all instances, to secure to the Natives, in addition to any reserves made for them by the New Zealand Company, *their cultivations, as well as convenient blocks of land for the purpose of future cultivations*, in such localities as they may select themselves."

The evidence given by Sir George Grey before the Commission on the Middle Island claims in 1879, also clearly indicates that the intention was to allot the Natives considerable reserves, "and if he had been aware that the quantity was to be limited to 14 acres per individual, that he would not have made the purchase of the Ngaitahu Block on those conditions."

Unfortunately for the Natives, an idea had become prevalent that the system of "tenths" was beyond their comprehension, and this view was alleged by Captain Symonds when purchasing the Otakou Block, as the reason why he did not carry out the system while the negotiations were in hand, but left the matter to be decided by His Excellency the Governor.

The reason, probably, why the opinion was formed that the Natives did not understand the system of "tenths," was from observations made in the North Island at the settlements where this class of reserve had been made, because the Natives continued to cultivate the land they had in use at the time the Europeans arrived in the colony, instead of removing on to the reserved "tenths;" but many causes operated to prevent them adopting that course, one of the principal ones being their objection to go on land formerly owned by others. Moreover, the scheme was entirely a new one, and totally different from anything the Natives had been previously accustomed to, consequently, it was not probable they would readily perceive the advantage of so important an arrangement for their future wants, especially as they never had had occasion to contemplate the necessity for making so necessary a provision for their ultimate welfare; but it was obviously incumbent on those whose experience in other realms had taught the necessity of so important a plan being maintained in its integrity, to have promoted a system having for its object so beneficial a purpose, notwithstanding it was not adapted to the notions of a people whose experience had never taught them the necessity of making provision for their future. The wisdom of the early promoters of the scheme has been fully exemplified in the Nelson Settlement: the Natives there, through the forethought of the founders of that settlement, have always been independent of Government aid, through having a fund of their own for the promotion of their welfare, in consequence of the system of "tenths" having been upheld.

As regards the view that the proceedings and awards of the Native Land Court in 1868 may be considered as having substantially discharged the public obligations in respect of lands set apart for