

the Natives, or that the Ngaitahu Validation Act of 1868 operated as a final extinguishment of all claims, it will be seen by the subsequent action taken both by Parliament and the Government it was not deemed that the obligations of the colony were fully discharged, but that the Natives were still entitled to further consideration on a basis more in conformity with the original intention.

The Natives urge that the principal part of their claim has not received the attention it deserves; and they point to the fact that the report of the Commission of 1879 established the most important points of their case, also that the report of the Commission of 1887 further supported their claims, and made certain specific recommendations for the settlement of the matter, which have not as yet been fully considered. They also pointed out that making provision for the landless portion of the community does not comprise all they are entitled to expect in fulfilment of the promises made to them in the past, nor can it be deemed to be a satisfactory compliance with the condition contained in the Ngaitahu deed—that the Governor would set apart additional land on the country being surveyed, which, according to Mr. Kemp, *was to be done in a liberal manner, and in such proportions as to meet the wants and provide for the general welfare of the Natives.*

They further urge that the expenditure they have been put to, amounting to several thousand pounds, in seeking redress for the non-fulfilment of the promises made to them, should be refunded by the Government, as it ought not in common justice to have been left to them to take action for the purpose of establishing their rights, as this duty devolved solely on the Government to perform. They state generally that this expenditure was one of the chief means of plunging them in debt, as all who had not money at command to contribute in aid of their cause sacrificed their cattle and crops for the purpose of acquiring funds.

They have never recovered from the sacrifice made on that occasion, and owing to this and other causes, is the reason why poverty is now lurking in their midst.

Another matter which they expressed a wish should be brought before the notice of the Government is that the extent of land set apart in 1848 was computed on the number of persons whose names were taken down at each of the settlements at that time; whereas the enumeration then made did not embrace the whole of the people who were entitled to be provided for, consequently those who received land under the enumeration had subsequently to provide for those whose names had not been entered in the lists. At the time the census of 1848 was compiled, a large number of the Natives belonging to the several settlements in the Ngaitahu Block were absent in other localities, not then visited by Mr. Commissioner Mantell. It is stated in proof of this assertion that the census of the residents at Otakou Heads, taken by Mr. Mantell in 1853, contains a large number of persons who belonged to the settlements in the Ngaitahu Block, and who should have been provided for within that block.

Of the 110 persons residing at Otakou Heads in 1853, it is stated only seventeen owned land within the Otakou Block, the remaining ninety-three belonged to settlements in the Ngaitahu Block. A number of persons belonging to the Ngaitahu Block were absent inland when the census was taken in 1848, and others were at settlements in the southern part of the island, as well as at Ruapuke and Stewart Island, and also in the North Island.

In a return recently furnished it would seem that there were 843 persons living at various places in the Southern provinces and in other parts of the colony for whom provision in land should have been made within the Ngaitahu Block; and, even if the theoretical quantity of ten acres each had been set apart, 8,430 acres would have been superadded to the quantity reserved in 1848, making a total of 14,789 acres in place of 6,359.

The reserves made in 1848 were only a bare provision for the people found at the several settlements, consequently, when the other Natives returned to the several localities they belonged to, it devolved on those in whose favour the reserves had been made to provide, out of the scanty quantity allotted them, land for the support of those who had none.

There is another matter also of this nature the Natives desired that attention should be drawn to: and that is, that the principle on which the reserves were set apart in 1848—namely, for the persons whose names were included in the census of that year—was not observed when the Native Land Court sat in 1868, owing to their not fully comprehending the correct position of the matter. The consequence of that was, a number of persons who were included in the census of 1848 at the settlements of Purakaunui, Waikouaiti, Moeraki, and Arowhenua were omitted in preparing the lists submitted to the Court in 1868, and fresh names were put in, comprising persons who were included in the census of that year but who had not been previously provided for; the result being that these persons got put in the titles instead of the persons or their descendants who were included in the census of 1848.

The number of persons included in the census of 1848 who are omitted in the lists submitted to the Court in 1848 are as follow: Purakaunui, 31; Waikouaiti, 85; Moeraki, 61; Arowhenua, 58.

When the Court sat in 1887 the persons omitted in 1868 were admitted through their descendants to a share of the several reserves to which they belonged, but this diminished the area divisible amongst the persons who had been recognised by the Court in 1868 to be entitled to the land.

The acreage allotted to those who were excluded in the lists of 1868 ranged from 5 acres to 20 acres per individual; and the total quantity apportioned amongst these persons represented 1,840 acres.

It will be seen by the foregoing statements that the Natives interested in the reserves in 1848 have been serious losers at different times through the several causes alluded to.

The same occurrences took place in the Murihiku Block: only a portion of the residents were provided for when the reserves were made. Only about 146 obtained land under the census of 1852; the Natives then living at Ruapuke, Stewart Island, and at places in the interior, of whom there were a large number, had no provision made for them.