

view I have expressed that the Commissioners were to proceed with their recommendation as to a grant being made *only* if they first came to the conclusion that the purchase had been made on equitable terms.

35. Schedule B, referred to in clause 6 of the Ordinance, is as follows :—

“ SCHEDULE B ”

Period When the Purchase was Made.							Per Acre.	
							s. d.	s. d.
From 1st January, 1815 to 31st December, 1824	..	..	..	..	..	..	0 6	0 0
..	1825	..	1829	..	..	..	0 6	0 8
..	1830	..	1834	..	..	..	0 8	1 0
..	1835	..	1836	..	..	..	1 0	2 0
..	1837	..	1838	..	..	..	2 0	4 0
..	1839	..	1839	..	..	..	4 0	8 0

And fifty per cent. above these rates for persons not personally resident in New Zealand, or not having a resident agent on the spot.

Goods when given to the Natives in barter for land to be estimated at three times their selling-price in Sydney at the time.

That is the schedule as set out in the Ordinance, but the proviso in clause 6 as to the maximum of 2,560 acres must really be read into, and as part of, the schedule.

36. The Commissioners who heard the “ old land claims ” that I am at present dealing with, and with whose reports I am concerned, were Commissioners Godfrey and Richmond. Those gentlemen seem to have done their work conscientiously and well, and if the lands could have been surveyed before they held their inquiries, the portions to be granted to the purchaser and the “ surplus ” (if any) which the Crown retained could have been at once defined ; but this, of course, was not possible in the absence of a survey. The Commissioners required the attendance before them of the purchaser or his authorized agent, and the purchaser was required also to bring before the Commissioners the Maori vendors. In addition, there seems to have been a notice issued to the Maoris, but, as the files do not show how it was issued, or whether and in what way it actually reached the Maoris, I place no reliance on it. I simply refer to it in passing. It is in the following form :—

CIRCULAR

Natives to appear in Land Claims Court

.....day of, 184...

FRIEND,—

This book is to inform you of the sitting of the Queen’s Investigators (or Commissioners) of Land for New Zealand at and they will inquire as to the equity of the land sales by the Europeans from the New Zealanders, and they then will report to the Governor, who will acknowledge or invalidate them. The Governor says (to you) that you, the land-sellers, should come at the same time with the Europeans, on the day of the month, to give correct evidence concerning the validity or invalidity of the purchase of your lands. Hearken! this only is the time you have for speaking ; this, the entire acknowledgment of your land sale for ever and ever.

From your friend,

W. HOBSON.

37. The purchaser was required to prove the purchase and that the persons named in the deed of sale as vendors were the true owners, and to satisfy the Commissioners that the Maoris knew the effect of what they were doing and knew that they were selling their land. Furthermore, as I have already stated, it was the duty of the Commissioners to satisfy themselves, on the question of equitable terms, that the consideration was fair and adequate. If the Commissioners were satisfied on all these matters, then they had to apply the schedule, or the “ yardstick ” as it has been called throughout the inquiry ; and I shall so refer to it hereafter in this memorandum.