

Court the latter referred the cases to the Native Land Court. There is need of special effort on the part of the Native Department to clothe this large area with proper titles, that settlement may be facilitated. There are also huge arrears of survey work to be overtaken in all five counties—surveys that are absolutely necessary before proper titles can be issued to would-be settlers. The machinery of recent legislation for opening up Native lands for settlement cannot be set in motion until these surveys are executed.

In 1900 Parliament delegated to Maori Committees, elected by claimants to papatupu lands, some of the powers of the Native Land Court on investigation of title. We were given to understand that this method of investigation had ignobly failed. Yet its results are astonishing, judging from the following figures which summarise the position for all counties north of Auckland:—

	A.	R.	P.	A.	R.	P.
Area of blocks dealt with	175,393	0	26			
Area affirmed by Board and not appealed against				28,315	2	26
Area appealed against and finally determined by Appellate Court				73,217	2	0
Area referred to Native Land Court, or for which no title issued				72,420	0	0

The time occupied was seven years, and in our opinion there was a considerable saving of money to the State.

In our memorandum to the Hon. the Native Minister on blocks vested in the Board (Appendix III) we directed attention to two matters of importance, as to which further legislation is necessary. We quote from the memorandum the following:—

“We may here point out that the system of leasing provided in Part II of ‘The Native Land Settlement Act, 1907’ (sections 55 to 57), does not apply to areas set aside for lease to Maoris out of lands vested in the Board by virtue of section 8 of ‘The Maori Land Settlement Act, 1905,’ notwithstanding section 23 of the Maori Land Claims Adjustment, &c., Act, of 1907. The latter refers only to lands vested by virtue of section 4 of ‘The Maori Land Settlement Act Amendment Act, 1906.’ Motatau, Te Karae, and other blocks were vested under the Act of 1905. The result is that preference cannot be given to the owners or to Maori tenants specified by them. The law requires amending to give this preference. Meantime, the reservation of sections for lease to Maoris can be made, and their disposal awaits further legislation. The settlement of sections for lease to the general public will of course be prejudiced or delayed.

“The problem was presented to us in dealing with the papakaingas in these and other lands vested in the Board that no power exists for defining what beneficiaries shall have the use of the reserves. They are reserved, we take it, for all the beneficiaries, and if a dozen reserves were made in any block all the beneficiaries would be entitled to residence and use of each of them. We are of opinion that during the period of the leases the use of the papakaingas should be restricted to beneficiaries to be determined by the Board or other tribunal. Absentee owners should *prima facie* be excluded, so also owners who may take leases of sections. And as between resident owners no one owner should have the use of more than one papakainga in a block. If this were not done the difficulties of the communistic system would be intensified by the restriction of the beneficiaries to papkainga areas without defining their rights of user and occupation.”

Both are matters of urgency, and should be provided for in order that the Board system of administration may meet the needs and circumstances of the Maori beneficiaries.

We have the honour to be,
Your Excellency's obedient servants,

ROBERT STOUT,
A. T. NGATA,
Commissioners.