

1914.
NEW ZEALAND.

RESERVES FOR LANDLESS NATIVES:

REPORT OF THE COMMISSION OF INQUIRY IN REGARD TO THE EXISTING RESERVES FOR LANDLESS NATIVES IN THE SOUTH ISLAND AND IN THE WAIKATO-MANIAPOTO NATIVE LAND COURT DISTRICT, AND AS TO THE DISPOSITION THEREOF.

Presented to both Houses of the General Assembly by Command of His Excellency.

COMMISSION.

LIVERPOOL, Governor.

To all to whom these presents shall come, and to Michael Gilfedder, Esquire, of Wellington, Judge of the Native Land Court, and Henry Douglas Morpeth Haszard, Esquire, of Hokitika, Commissioner of Crown Lands: Greeting.

WHEREAS it is expedient that inquiry should be made with regard to the existing reserves for landless Natives in the South Island and in the Waikato-Maniapoto Native Land Court District, and as to the disposition thereof:

Now, therefore, I, Arthur William de Brito Savile, Earl of Liverpool, the Governor of the Dominion of New Zealand, in exercise of the powers conferred by the Commissions of Inquiry Act, 1908, and of all other powers and authorities enabling me in this behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby constitute and appoint you the said

MICHAEL GILFEDDER, and
HENRY DOUGLAS MORPETH HASZARD

to be a Commission to inquire into and report upon the following matters:—

- (1.) What Crown lands not vested in the Public Trustee have been (a) set apart to make provision for landless Natives in the South Island prior to the passing of the South Island Landless Natives Act, 1906; or (b) permanently reserved by Proclamation for the purpose of providing land for the landless Natives of the South Island, under the provisions of the said South Island Landless Natives Act, 1906; or (c) since the repeal of that Act, set apart or reserved in the South Island for such purposes.
- (2.) Whether the lands so set apart or permanently reserved, or any and which of them, have been duly applied for the purposes for which they were so set apart or permanently reserved.
- (3.) Whether by any process or system of consolidation of reserves or interests or other means, or by exchange for other more suitable or conveniently situated lands, the purposes for which the lands set apart or permanently reserved can be better provided.
- (4.) Whether the purposes can be better provided by reserves for hapus or families rather than by the appropriation of separate areas to individual Natives.

- (5.) Whether the said purposes could be best provided by leasing the lands so set apart or permanently reserved, or any and which of them, on leases of long tenure, and by applying the rents and profits for the said purposes.
- (6.) Whether any and, if so, what lands not vested in the Public Trustee have been set apart or reserved in the Waikato-Maniapoto Native Land Court District for the benefit of landless Natives, and in what manner and by what means such lands may be best made applicable for the purposes for which they were so set apart or reserved.
- (7.) Generally to inquire into and report upon the nature and conditions of the lands not vested in the Public Trustee, and set apart or permanently reserved for landless Natives in the South Island, and of the lands (if any) not vested in the Public Trustee set apart or reserved for landless Natives in the said Waikato-Maniapoto Native Land Court District, and the best methods for dealing with such lands so that the lands or the rents and profits thereof may be applied to the best advantage for the purposes for which they were reserved or set apart.

Provided that as the subject-matter of the inquiry hereby required to be made is the existing reserves and the disposition thereof, and not the persons entitled to the benefit thereof or the sufficiency of the reserves, it is hereby declared that all matters as to the non-inclusion of persons entitled or claiming to be entitled to the benefit of any such lands so reserved or set apart, and all requests or claims that additional lands should be reserved or set apart, are excluded from the scope of this inquiry.

And, with the like advice and consent, I do further appoint you the said

MICHAEL GILFEDDER

to be the Chairman of the said Commission.

And for the better enabling you, the said Commission, to carry these presents into effect, you are hereby authorized and empowered to make and conduct any inquiry under these presents at such times and places in the said Dominion as you deem expedient, with power to adjourn from time to time and place to place as you think fit, and to call before you and examine on oath or otherwise, as may be allowed by law, such person or persons as you think capable of affording you information in the premises; and you are also hereby empowered to call for and examine all such books, papers, plans, writings, documents, or reports as you deem likely to afford you the fullest information on the subject-matter of the inquiry hereby directed to be made, and to inquire of and concerning the premises by all lawful means whatsoever.

And, using all diligence, you are required to report to me, under your hands and seals, not later than the thirty-first day of August, one thousand nine hundred and fourteen, your opinion as to the aforesaid matters.

And it is hereby declared that these presents shall continue in full force and virtue although the inquiry is not regularly continued from time to time or from place to place by adjournment.

And, lastly, it is hereby further declared that these presents are issued under and subject to the provisions of the Commissions of Inquiry Act, 1908.

Given under the hand of His Excellency the Right Honourable Arthur William de Brito Savile, Earl of Liverpool, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies; and issued under the Seal of the said Dominion, at the Government House at Wellington, this twenty-third day of June, in the year of our Lord one thousand nine hundred and fourteen.

W. H. HERRIES,
Minister of Native Affairs.

Approved in Council.

J. F. ANDREWS,
Clerk of the Executive Council.

REPORT.

To His Excellency the Right Honourable Arthur de Brito Savile, Earl of Liverpool, Governor and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its dependencies.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed by Your Excellency on the 23rd day of June, 1914, to inquire by all lawful means in regard to the existing reserves for landless Natives in the South Island and in the Waikato-Maniapoto Native Land Court District, and as to the disposition thereof, and to report on the several matters referred to in the said Commission, a copy of which is attached hereto, have the honour to report as follows:—

We assembled in Wellington on the 7th July, and from that date to the 11th were engaged in the preliminary work of procuring data from old official files and papers. We decided that it would be unnecessary to take a verbatim report of the evidence tendered, but very full minutes of all important views and statements given to the Commission were entered in the minute-book, which accompanies this report.

On Saturday, the 11th, we crossed over to Blenheim and took evidence there on the 13th. On the 14th and on the morning of the 15th the Commission sat in Picton, and on the afternoon of the 15th we proceeded to Endeavour Inlet by motor-launch, to inspect some of the Native reserves in that locality. In the evening we left for Nelson and held sittings there on the 16th and 17th, returning to Wellington on the 18th. We proceeded to Christchurch on the 20th, and held sittings at Kaiapoi on the 22nd, 23rd, and 24th; at Temuka on the 28th and 29th; at Puketeraki on the 30th and 31st; and at Dunedin on the 3rd August. We left for Invercargill on the 4th, and held sittings there on the 6th and 10th; at Riverton on the 8th; and at Tuatapere on the 11th.

The Commission then proceeded to Auckland and held a sitting there on the 18th August; at Mercer on the 19th; at Hamilton on the 20th, with a short sitting at the Thames in the evening; and on the 22nd at Paeroa, whence we returned to Wellington to draw up this report.

Some 192 persons in all tendered information to the Commission at its various sittings.

We deal seriatim with the several matters set out in our order of reference:—

- (1.) *What Crown lands not vested in the Public Trustee have been (a) set apart to make provision for landless Natives in the South Island prior to the passing of the South Island Landless Natives Act, 1906; or (b) permanently reserved by Proclamation for the purpose of providing land for landless Natives in the South Island, under the provisions of the said South Island Landless Natives Act, 1906; or (c) since the repeal of that Act, set aside or reserved in the South Island for that purpose.*

Under sub-article (a) we find that an area of 142,463 acres 1 rood 8 perches was set aside by the Commission, consisting of Messrs. Percy Smith and A. Mackay, for 4,064 persons (see Appendix to the Journals of the House of Representatives, 1905, G.—2). Of the area shown above 5,642 acres 2 roods 34 perches in six blocks were proclaimed under the provisions of sections 235 and 236 of the Land Act, 1892.

(b.) Under the South Island Landless Natives Act, 1906, twelve blocks, consisting of 126,324 acres 0 roods 12 perches, were permanently reserved, although in the case of four of these blocks the lists of names and shares have not yet been published.

(c.) Since the repeal of the above Act two blocks, containing 934 acres 2 roods 19 perches, have been reserved under the provisions of sections 321 and 322 of the Land Act, 1908.

(d.) In the case of three blocks, containing 9,561 acres 3 roods 23 perches, no Proclamation has yet been issued, although they are included in the area

shown under heading (a). As the South Island Landless Natives Act, 1906, has been repealed without making any provision for the completion of the work begun under the Act, it would appear that amending legislation is required to validate the proclamation of reserves and the issue of grants for the areas shown under headings (c) and (d), in order that the recommendations of Commissioners Smith and Mackay should be given effect to.

The return above shown of 4,064 landless Natives to whom land has been allotted would seem to require some explanation in view of the fact that the census return in the Year-book for 1905, about which time the list of names was compiled, shows only a total Native population in the South Island of 2,021, and of these many already held land. This may be partly accounted for by the fact that a proportion of the beneficiaries are of a lighter shade than half-castes, and are not included in the census of the Native population; but it was also brought under our notice that in many cases individuals had received more than one grant of land under different names, while names had been put on the list of persons who had been dead for many years.

In regard to lands for which the titles have already issued the matter is beyond recall; but in cases where the lists of names have not yet been gazetted we would recommend that before the titles are made out an inquiry should be held by the Native Land Court as to the *bona fides* of each claim.

(2.) *Whether the lands so set apart or permanently reserved, or any and which of them, have been duly applied for the purposes for which they were so set apart or permanently reserved.*

We find that a certain proportion of the reserves in the Nelson and Marlborough Districts have been occupied by the Natives entitled thereto—namely, Okoha, Port Gore, Endeavour Inlet, Edgecombe, Raetihi, and Te Mapou.

In regard to the reserves in Otago, Southland, and Stewart Island, practically none of them have been occupied by the persons for whom they were set apart. We deal with this matter later in our general report and recommendations.

(3.) *Whether by any process or system of consolidation of reserves or interests or other means, or by exchange for other more suitable or conveniently situated lands, the purposes for which the lands set apart or permanently reserved can be better provided.*

In dealing with this phase of the subject we consider that the ideal to be aimed at would be that each grantee should have his individual holding and occupy it personally; but we find that in actual practice there are insuperable difficulties in the way of the ideal being attained, for the following reasons:—

- (a.) In most cases the reservations are remote from the present homes of the beneficiaries.
- (b.) The people to whom the land has been awarded are in some cases either too old or too young to start in a strange locality to found a new home.
- (c.) The land set aside in some instances is not suitable for subdivision into small areas.

In the allocations made by Messrs. Smith-Mackay Commission in 1905 the system adopted was to group family awards into one section, and this method has been carried out with a fair measure of success, though in the evidence given before us some cases were cited where members of the same family had awards made in widely separated sections.

(4.) *Whether the purposes can be better provided by reserves for hapus or families rather than by the appropriation of separate areas to individual Natives.*

For the reasons stated in (3) we consider the system of allotting the land in family groups to be the most practicable way of dealing with the reserves in those cases where the Native owners wish to personally occupy, though, as we show later on in the report, the probability is that very few will avail themselves of the opportunity of doing so.

(5.) *Whether the said purposes could be best provided by leasing the lands so set apart or permanently reserved, or any and which of them, on leases of long tenure, and by applying the rents and profits for the said purposes.*

An overwhelming majority of the Natives who appeared and gave evidence stated that they did not intend to personally occupy the lands allotted to them, and several schemes of administration were suggested, such as—

- (a.) The creation of a Maori Board with powers of leasing.
- (b.) That the reserves be administered by the Public Trustee.
- (c.) That they be administered by the Commissioner of Crown Lands for the district in which the reserves are situated.

Fully 90 per cent. of the witnesses favoured the last-named proposition, for the reason that the Commissioner of Crown Lands has the requisite staff and machinery to carry out the necessary work at a minimum cost.

We deal more fully with this aspect of the question in our general recommendation.

(6.) *Whether any, and if so what, lands not vested in the Public Trustee have been set apart or reserved in the Waikato-Maniapoto Native Land Court District for the benefit of landless Natives, and in what manner and by what means such lands may be best made applicable for the purposes for which they were so set apart or reserved.*

In this connection we applied to the Commissioner of Crown Lands, Auckland, for a return of any such reserves, and we were furnished with a list of lands (see Schedule A in appendix hereto) which have been marked on the map in the Auckland District for many years as being "required for Natives." We feel, however, considerable doubt as to whether such reserves come within the scope of our inquiry.

From the evidence tendered, and from a search of old files in the Survey and Native Land Offices, it would appear probable that these lands were set aside under the provisions of the New Zealand Settlements Act, 1863, and its amendments, and the Waikato Confiscated Lands Act, 1863, and its amendments of 1882, for the use of ex-rebels, under certain conditions of occupation.

The evidence of witnesses shows that some of these lands have been occupied by the Natives under promises made by various Government officers, such as Mr. Bush (late S.M.), the late James Mackay, and the late George Wilkinson, Government Native Agents, while others have been lying idle for forty years and are becoming overgrown with noxious weeds. The Natives who are in occupation are desirous of having their holdings individualized and titles issued in order that they may protect their improvements. By section 11 of the Native Land Amendment Act, 1912, the Governor is empowered to have inquiry made as to who are the beneficial owners of the reserves, and in some cases such inquiries have already been made by Judges of the Native Land Court, and the individual shares ascertained. It would appear, however, that at present there is no power inherent in the law to complete the matter by the issue of certificates of title.

It may not be out of place for us respectfully to suggest that further legislation is necessary to deal finally with this subject, and should such a suggestion be given effect to, the following proposals would probably cover what is desired, viz.: The Commissioner of Crown Lands at Auckland should have an inspection made of all the reserves mentioned in Schedule A, and of any other lands which come within the same category, to see which have been occupied within the terms of the Acts mentioned. Lands found to be occupied could be referred to the Native Land Court for individualization, as provided in section 11 of the Native Land Amendment Act, 1912, with an additional clause empowering the issue of titles. The other reserves, with which nothing has been done, could then be freed from restriction, and treated as ordinary Crown lands to be offered for settlement.

Should titles be granted to the Natives, it would be well to impose restrictions to prevent alienation by sale or mortgage, as it was brought under our notice that in some cases the Natives had already made arrangements to sell their interests to pakehas, as soon as they were in a position to do so.

(7.) *Generally to inquire into and report upon the nature and conditions of the lands not vested in the Public Trustee, and set apart or permanently reserved for landless Natives in the South Island, and of the lands (if any) not vested in the Public Trustee set apart or reserved for landless Natives in the said Waikato-Maniapoto Native Land Court District, and the best methods for dealing with such lands so that the lands or the rents and profits thereof may be applied to the best advantage for the purposes for which they were reserved or set apart.*

As this order of reference summarizes what has gone before, we propose in the first place to give a brief description of each of the reserves and to then follow on with our recommendations.

With the time at our disposal we were unable to visit many of the landless Native reserves, but we availed ourselves of the evidence of Crown Lands Rangers and Government valuers, whenever we had the opportunity of doing so, in regard to the quality and valuation of the blocks.

The lands vary in quality and degrees of inaccessibility, and range in value from £2 10s. an acre to 5s. There are a few fertile patches, and these are occupied, but the blocks on the whole are unsuitable for closer settlement or Native cultivation. The Marlborough lands seem well adapted for selection in fairly large areas by sheep-farmers with moderate means, while most of the Southland blocks contain good milling-timber, and would be taken up by saw-millers if thrown open in areas large enough to warrant the erection of mills and construction of light lines or tramways.

Tennyson's Inlet Block.—Tennyson's Inlet contains an area of 6,408 acres, valued at 10s. an acre unimproved. It is very rough and broken, and in parts mountainous. It is not occupied, nor is it fit for profitable cultivation. The only parts suitable for settlement are small areas along the foreshores of the numerous bays. It has been recommended that this block should be set aside as a scenic reserve, and that the Natives should be provided with land elsewhere. The Native owners, recognizing that this piece of land is not adapted for settlement, ask that an area of equivalent value be acquired for their use near their homes in the Wairau Valley, where a small piece of arable land would be of some benefit to them.

We recommend that a careful valuation of Tennyson's Inlet Block be made, and that land of an equal value be obtained, if possible, in the vicinity of Spring Creek, and given to the Natives in lieu thereof.

Okoha Block.—This block comprises 1,845 acres of fairly good land. Some of it is heavily timbered, but as there are no sawmills in the vicinity the timber is not being turned to account. There is a long valley running through the block, along which some forty Natives reside. They have already cleared 300 acres, which they allege carry over seven hundred sheep. The soil is better than that of the other blocks in Queen Charlotte Sound, but it would cost over £2 an acre to clear the heavily wooded parts. Eight of the owners possess each a 3-acre residential site on Port Gore, some miles away from the main Okoha Block, with a large area of Crown land leased for a long period lying between.

There is a surplus area of 101 acres in Okoha, and the owners of the 3-acre pieces desire that this surplus should be given them in lieu of the 24 acres on the foreshore. The Government valuer and Mr. Stephenson Smith, ex-Commissioner of Crown Lands at Blenheim, consider this would be a fair exchange as the values are approximately equal. We recommend that this exchange be effected on the written application of the Native owners.

Miritu Block.—This is a small block of 360 acres near Miritu Bay, Queen Charlotte Sound. It was reserved in 1909, and appears to have been allotted to nine persons, who take 40 acres each. The names with shares have not yet been gazetted. We recommend that provision be made for doing so.

The remaining Marlborough blocks seem to possess many features in common.

Endeavour Inlet, which comprises 847 acres, contains some fairly good land, of which 83 acres are under lease. The balance is in the occupation of the

Native owners, who are improving their holdings and seem to be satisfied with their prospects of success.

Kenepuru contains 1,138 acres, but part of it has not been allotted. Nearly the whole of the land is under lease for a term of twenty-one years, and the lessee has effected substantial improvements.

Big Bay (950 acres) contains some heavy bush land. Part of the block has been leased, and certain improvements have been made.

Port Gore (504 acres) is occupied by one of the owners, who has leased from some of the others, and is improving the land.

Edgecombe Block contains 358 acres, is leased to one of the owners, and is occupied.

Raetihi Block (500 acres) and *Te Mapou Block* (1,195 acres) are situated in the Croixelles district. They were reserved under the name of *Whangamoa* in 1911, in pursuance of the provisions of sections 321 and 322 of the Land Act, 1908, which empowers the Governor to reserve permanently Crown lands (*inter alia*) for the "use, support, or education of aboriginal Natives of New Zealand." Out of 1,695 acres in the two blocks only 935 acres have been allotted. The names of the grantees have not been gazetted, nor does there seem to be any power to do so under the existing law. Both blocks are at present occupied by the grantees, who desire to obtain leases of the surplus areas in each. The land is valued at 13s. an acre unimproved, and there are £250 worth of improvements on *Te Mapou*.

Heaphy Block (called also *Whakapoi*) contains 1,600 acres, and was allotted to thirty-eight persons, but it does not appear that this land has been reserved by proclamation, nor has the list of names been gazetted. The land lies on the west coast of Nelson, and is of fair quality. It is not occupied, and it is said that the Natives to whom it was allotted live at Westport and in Taranaki.

Bruce Bay (Manakaiaua) contains an area of 3,760 acres, is situated in Westland, and is of good quality, mostly river-flats. Parts are swampy, but could be easily drained. There are 135 names in the list of owners. The land is occupied by some of the Natives, who appear to be well satisfied with their holdings.

Of the Otago lands the *Wanaka Block*, of 1,554 acres, was allotted by Commissioners Percy Smith and Mackay to fifty-seven persons. The block is held under a pastoral lease with three years yet to run; consequently no Proclamation has been issued reserving it for landless Natives. We think that this should be done, and the names of those to whom it has been allotted published. It seems to be useless to survey the block into either family or individual sections, as it is not adapted for close settlement. The owners should take as tenants in common in the whole block, and should receive the rents accruing from the lease in proportion to their respective shares.

Glenomaru Block, of 354 acres, is located in the South Molyneux district, near the coast. There are only seven owners, and it is not known if any of these occupy.

Tautuku Block, of 6,821 acres, consists of two divisions, and is situated on the south-east coast of Otago. It is mostly timbered, but the bush is of an inferior quality. The soil is poor and the climate wet. The Crown Lands Ranger considers the land to be worth £1 an acre at the most, and does not think it would go off readily if offered at present. There is a road within half a mile of the western division, while the eastern part is roaded. There is a sawmill within one mile and a half, and a dairy factory has been established at Heathfield near-by. There are no shipping facilities, nor is there a railway within measurable distance, yet the fact that a sawmill and a dairy factory are in operation in the district would go to indicate that dairying areas of 200 acres each would be taken up.

Waikawa Block, containing 5,238 acres, adjoins Tautuku on the south, but falls within the Southland Land District. Its characteristics do not materially differ from those of Tautuku. The land is of fair average quality, but broken. There is some bush containing mixed milling-timber which could be brought out to Waikawa Harbour. There is road access, but the Tokonui Railway is over 20 miles away. A good deal of the land is suitable for dairying, and the best

sections would be taken up at once if thrown open for selection. Nearly all the land to the west of this block has been taken up already.

Hokonui Block (27,809 acres) and *Forest Hill Block* (850 acres) contain some good dairying and pastoral land, which would be leased if offered in areas of from 200 to 300 acres. Some of the sections contain good milling-timber, and sawmilling has been carried on there in the past. Patches of the timbered ridges have been burned, but undergrowth and weeds have sprung up. The surrounding lands are settled, and mixed farming is being carried on. The value of the land varies from £1 to £1 10s. an acre, and on the sections where good timber stands the value should rise to £2 10s. an acre. Amongst others, the Hedgehope Railway League impressed upon us the desirableness of throwing open these blocks for settlement by European selectors.

Raymond's Gap contains only 350 acres, and belongs to the Bates family, who are in occupation. The land is good, is within a few miles of Otautau, and is being improved. The names of the grantees, nine in number, have not yet been gazetted.

Stewart Island Blocks—*Lord's River* (8,725 acres), *Port Adventure* (9,340 acres), and *Toitoi River* (7,392 acres)—are not occupied at present. The land is broken, poorly timbered, and worth from 15s. to £1 an acre. The land if cleared and grassed would be suitable for depasturing cattle or sheep. There are three sawmills at work on Stewart Island, but it is not considered likely that there will be any demand for the bush on the Native reserves. There is, however, every probability of the land being taken up for pastoral purposes if open for selection in areas of 500 acres or upwards.

Alton Block lies from four to nine miles west of the Waiau River. Although regarded at one time as being beyond the confines of civilization, the construction of roads and the extension of the Orepuki Railway to the banks of the Waiau, have brought this block within a few miles of settlement and a flourishing sawmilling industry. The soil is fairly good, the land undulating, and on parts of the block there is good milling-timber. This will make good dairying-country when the timber has been cut off. One sawmiller has obtained leases of two sections, and it is considered that, were the timber areas thrown open for selection in this block, and in the Rowallan Block, which adjoins it on the west and is even better timbered, in areas of 1,000 to 1,500 acres, strong milling companies would be induced to take up the allotments, erect mills, and construct a light line of railway to give means of communication with the present railway terminus at Tuatapere.

Rowallan Block is farther west and more remote than the Alton, and, though it carries better timber, its soil is deemed inferior to that of the latter. The only means of communication at present is by way of the beach. The area of the Alton and Rowallan Blocks is 44,455 acres.

Wairaurahiri Block is still farther west, and lies about thirty-five miles from the Waiau. It contains an area of 10,886 acres, and comprises land running along the coast between the Wairaurahiri and Waitutu Rivers. There is some timber, but no means of getting it away, as there is no safe landing-place east of Price's boat-harbour. The soil is poor, growing mostly moss and manuka, and the land, which is valued at less than 5s. an acre, will not be readily taken up in the near future.

With respect to a strip of land running along the western bank of the Waiau and known as the *Waiau Reserve*, we took the evidence of those who proffered it. The ownership of this piece of land formed the subject of a petition to the House of Representatives, and a report by the Native Affairs Committee. As it was not set apart for landless Natives, we found that it did not come within the scope of our order of reference, and consequently we make no recommendation regarding it.

It was very strongly impressed upon us by the people in Southland that some practical way of utilizing those reserves upon which settlement is impinging should be devised, as at present the Native owners are deriving no benefit from the lands, and while the reserves are lying idle they are blocking the progress of the district. We attach hereto (in appendix marked "C") a letter which we received from the president and the secretary of the Hedgehope Railway League, which clearly sets forth the general views of the settlers on the subject. From

our own experience in regard to dealings with Native matters, we are of opinion that some drastic change in procedure is necessary if the utilization of the land is to be secured.

From a return furnished by the District Land Registrar at Invercargill we find that out of 270 certificates of title prepared in his office only nine have so far been uplifted by the owners.

The Regulations.—The regulations under the South Island Landless Natives Act, 1906, published in the *New Zealand Gazette* on the 4th March, 1909, have been found in operation to be too cumbersome and practically unworkable.

In many cases the owners of a section are widely scattered, some being in Australia and even as far away as America, while in other cases the owners have died and no successors have been appointed; so that the expense and uncertainty in procuring signatures to a lease have prevented anything being done with the land. If a simple method of procedure analogous to that of dealing with Crown sections were adopted there is every probability that large areas would be taken up and settled, and the Native owners would derive the benefit of the rents accruing therefrom.

We would therefore recommend that legislation be enacted vesting all landless Native reserves for which the titles have not yet been uplifted in the Commissioner of Crown Lands for the district in which such reserves are situated, in trust for the Native owners; that the said Commissioner should have the reserves opened for settlement in suitable-sized sections, and submitted to ballot in the same manner as Crown lands are dealt with, but with the proviso that Native owners who wish to settle on their lands should have absolute preference before the general public are admitted to the ballot.

We recommend that the provisions of section 335 of the Native Land Act, 1909, be extended so that individual Natives who are occupying their own sections should be enabled to borrow money from a State Loan Department, or from any person or body corporate, for the purpose of improving their land.

Provision should be made for making regulations for administration expenses, &c.

There is also the question of roading to be gone into. We would suggest that the present unimproved value of the reserves be carefully ascertained; that the lands be then loaded under the same system as the Loans to Local Bodies Act; and that in fixing the upset rentals of the sections they be based on such a scale as to pay interest on the land valuation, plus interest and sinking fund on the loan expenditure.

In regard to sections which contain timber of commercial value, we are of opinion that before they are thrown open for permanent settlement the Commissioner should dispose of the timber in the same manner as provided for in the regulations for the sale of Crown timber, and that the royalties, less 5 per cent. for administrative expenses, should be paid over to the Native owners.

The landless-Native blocks are in an anomalous position. The land is not Native land within the meaning of the Native Land Act, 1909, and since the repeal of the South Island Landless Natives Act, 1906, the Native Land Court has no jurisdiction to partition or effect exchanges; and, as a large proportion of the owners are Europeans according to the Act of 1909, the Court has no power to appoint successors or trustees. It is therefore desirable that jurisdiction be conferred on the Native Land Court with respect to these lands similar to that given in the Native Land Act, 1909, and its amendments, with the same right of appeal to the Native Appellate Court.

In conclusion, we are pleased to state that we received every assistance from the various Government Departments and from private individuals on matters relating to our inquiry, and also to state that there has been complete unanimity between your Commissioners in regard to the conclusions and recommendations in this report.

In witness whereof we have hereunto set our hands and seals, this thirty-first day of August, in the year one thousand nine hundred and fourteen.

M. GILFEDDER, Chairman.

H. D. M. HASZARD, Member.

APPENDICES.

APPENDIX A.

LIST OF SECTIONS RESERVED FOR WAIKATO NATIVES, AS FURNISHED BY COMMISSIONER OF CROWN LANDS, AUCKLAND.

Parish.	Section.	Area.			Remarks.
		A.	R.	P.	
Whangamarino	... 182	414	0	0	Rihapeta's name on plan.
"	... 214	11	0	0	
"	... 215	11	0	0	
"	... 245	20	0	0	
"	... 246	20	0	0	
"	... 247	20	0	0	
"	... 248	20	0	0	
"	... 249	20	0	0	
"	... 250	30	0	0	
"	... 251	30	0	0	
"	... 268	47	0	0	
"	... 271	15	0	0	
"	... 278	30	0	0	
"	... 304	36	0	0	
"	... 332A	33	0	0	
"	... 335	67	1	8	Roka Puteruha on plan.
"	... 393	697	2	27	
"	... 442	266	0	0	
"	... 512	364	3	28	
Koheroa	... 39	290	0	0	
"	... 40	273	0	0	
"	... 118	50	0	0	
Ngaroto	... 37	39	0	0	
Horotiu	... 8	28	2	0	Wiremu Patene.
Pukete	... 274	1	0	0	
Pepepe	... 144	24	0	0	
"	... 147	104	0	0	
Taupiri	... 222	51	1	0	
"	... 224	56	0	0	
"	... 225	20	1	0	
"	... 237	48	0	0	
"	... 240	43	2	24	
"	... 254	15	0	0	
"	... 293	50	0	0	
"	... 294	50	0	0	
"	... 295	11	3	0	
"	... 366	363	3	32	
"	... 375	50	0	0	
"	... 402	103	2	22	
"	... 403	119	0	0	
Komakorau	... 131	100	0	0	In name of Te Raihi (plan and parish book). Name of Hakopa te Waharoa (plan and book).
"	... 146	83	3	18	
"	... Lots 1 to 6 of 148	132	1	32	
Onewhero	... 11	50	0	0	Land adjoins Section 162, Onewhero Parish.
"	... 15	17	0	0	
"	... 98	19	0	0	
"	... Native reserve	608	0	0	

NOTE.—The areas quoted in a number of instances are only approximate, as the surveys are old magnetic surveys and will require resurveying.

TAMAHERE PARISH (TAUWHARE).—LOTS SET APART FOR NATIVES BY R. S. BUSH, 5TH JUNE, 1882.
(No grants issued.)

Section.	Area.			Name of Grantee.
	A.	R.	P.	
154	29	3	37	Rangipo te Kakapo.
155	49	1	3	Pirihi Tomonui.
165	50	0	37	Hitari te Aopouri.
166	50	0	6	Wiremu Hunia te Ngakau.
167	29	3	39	Ngahaka.
168	50	0	0	Karanama Tamakoro.
169	29	3	37	Piko Hitari.
170	50	1	29	Tarei Tuhiiho.
171	49	3	3	Tuhaora.
172	30	0	0	Rangituturu (Plan 3,300, Cambridge).

SECTIONS IN TAMAHERE PARISH SET APART FOR NATIVES.

Section.	Area.			Section.	Area.			Section.	Area.		
	A.	R.	P.		A.	R.	P.		A.	R.	P.
139A	19	0	34	189	10	0	0	208	10	0	0
140A	27	1	23	190	9	3	37	209	10	0	0
142A	72	0	6	191	10	0	4	210	10	0	0
173	9	3	7	192	10	0	0	211	10	0	0
174	10	0	0	193	10	0	0	212	13	3	7
175	10	0	0	194	10	0	0	213	10	0	0
176	10	0	23	195	10	0	0	214	10	0	0
177	10	0	0	196	10	0	0	215	10	0	0
178	10	0	0	197	10	0	0	216	10	0	0
179	10	0	0	198	10	0	0	217	4	1	29
180	10	0	0	199	10	0	0	218	10	0	0
181	10	0	0	200	13	1	0	219	10	0	0
182	10	0	0	201	10	0	0	220	10	0	0
183	10	0	4	202	10	0	0	221	10	0	0
184	10	0	0	203	10	0	0	222	10	0	0
185	10	0	0	204	10	0	0	223	10	0	0
186	10	0	0	205	10	0	0	224	10	0	0
187	10	0	0	206	10	0	0	225	3	1	27
188	10	0	0	207	10	0	0	226	10	0	0

APPENDIX B.
LANDLESS NATIVES' BLOCKS.

Name of Land.	Area.	Permanently reserved.	Gazette.	Authority.
The following blocks were permanently reserved under the Land Act prior to the passing of the South Island Landless Natives Act, 1906 :—				
Edgecombe ...	A. 358 R. 1 P. 3	27/10/1897	1897, p. 1986	Sections 235–6 of Land Act, 1892.
Port Gore ...	503 3 19	"	"	Ditto.
Endeavour Inlet ...	846 3 17	"	"	"
Big Bay ...	949 3 22	"	"	"
Kenepuru ...	1,138 2 3	"	"	"
Okoha ...	1,845 1 10	"	"	"
	5,642 2 34			

The following blocks were permanently reserved by Proclamation for the purpose of providing land for landless Natives of the South Island under the provisions of the South Island Landless Natives Act, 1906 :—

Waiau ...	44,455 2 1	21/5/1908	1908, p. 1514	Sections 3 and 4, Landless Natives Act, 1906.
Wairaurahiri ...	10,866 2 23	"	"	Ditto.
Waikawa ...	5,238 1 4	"	"	"
Lord's River ...	8,724 3 24	"	"	"
Hokonui, including Forest Hill, Waimumu and Lindhurst	28,659 0 39	"	"	"
Raymond's Gap ...	350 3 15	"	"	Not allocated.
Toitoti River ...	7,392 0 4	"	"	"
Port Adventure ...	9,340 3 26	"	"	"
Bruce Bay ...	3,759 3 20	"	"	Sections 3 and 4, South Island Landless Natives Act, 1906.
Tautuku ...	6,821 0 38	13/9/1908	1908, p. 2576	Ditto.
Glenomaru ...	354 2 18			
Miritu ...	360 0 0	7/7/1909	1909, p. 1817	Not allocated.
	126,324 0 12			

APPENDIX B—continued.
LANDLESS NATIVES' BLOCKS—continued.

Name of Land.	Area.	Permanently reserved.	Gazette.	Authority.
The following blocks have been reserved under the Land Act, 1908, since the repeal of the South Island Landless Natives Act, 1906 :—				
Raetihi and Te Mapou ...	A. 934 R. 2 P. 19	29/8/1911	1911, p. 2670	Not allocated.
The following blocks were set apart by Commissioners Percy Smith and Mackay for landless Natives, but have not yet been reserved by Proclamation :—				
Heaphy (Whakapoai) ...	1,600 0 0	Nil	Nil	Nil.
Wanaka ...	1,553 2 26	"	"	"
Tennyson's Inlet ...	6,408 0 37	"	"	"
	9,561 3 23			
	142,463 1 8			

APPENDIX C.

To the Native Lands Commissioners.

SIRS,—

The Railway League of Hedgehope desire to bring before your notice the very urgent need for throwing open to European settlement the lands in this locality which have been reserved for landless Natives, and which are known as the Forest Hill, Hokonui Native Reserves. We would respectfully point out—

That the lands in question have been available to the Natives for four years, and a number of the sections have been allocated and individualized, and so far none of the Natives have come to reside on the land.

That numerous attempts have been made by Europeans to obtain the lease of various sections from the Natives, but difficulties have been encountered. Natives interested in the sections cannot be found, and the leases therefore cannot be obtained.

That reasonable offers have been made by sawmillers for the milling-rights of the timber growing on the reserves, and in all cases save one the Natives agreed to sell. The sawmills have been removed from the district, and the whole community has suffered inconvenience and loss thereby.

That no Native or European could live on less than 200 acres of the aforesaid land, and as the largest allotment for any individual Native is 50 acres, we feel that the retention of the said land as a reserve for landless Natives is absurd.

That we are of the opinion that the said land is unsuitable for the Native mode of living, and the environment will not appeal to the Native mind; and, further, that the Natives are not likely to come and reside on the land.

That we are strongly opposed to the locking-up of the said land as a reserve for landless Natives if the Natives will not come and reside on and improve the land.

That the said land in its unimproved state is detrimental to the advancement of the community. Noxious weeds of every description are growing luxuriantly thereon, and rabbits abound in their thousands. The reserve is a veritable hotbed for the propagation of pests, and until it is closely settled it will be impossible to deal effectively with these.

Wherefore the Hedgehope Railway League would urge upon the Commissioners the desirability for the Government to purchase the aforesaid Native reserve, and throw the land open for European settlement, so that the land may become improved, and will thus become revenue-producing. If the Commissioners cannot see their way to accede to our request, and will not make such recommendation to the Government as we suggest, and purpose retaining the aforesaid Native lands, we would respectfully make the following recommendations :—

- (1.) That each Native should be allowed 200 acres of the best of the land, and larger amounts according to the quality of the land.
- (2.) That the Natives should be compelled to reside on their sections within three years after the date of allocation.
- (3.) That differential rating should obtain for at least ten years after the allocation of the sections, so as to provide for the roading of the country.
- (4.) That in all cases where the Natives fail to occupy their lands within the specified time, and where it is found impossible to place other Natives on such lands, such lands should be made available to European settlement.

Signed on behalf of the League.

ARCHD. MCKAY, Sen., President.
J. M. MACKINTOSH, Secretary.

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