

38. Question 3 is, "Whether there were at the time such purchases were made, any valid reasons why the Crown should have abstained from purchasing the interests of those owners of the said land who were agreeable to sell, and did sell, their interests to the Crown." The answer is that in certain instances the purchase would render the Native landless and that was the reason why, in individual cases, as the law stood, the Crown should have abstained from purchasing the interests of certain Native sellers. There were, in my view, no other valid reasons.

Question 4 ; Whether fair and reasonable prices were paid to the Native vendors ?

STATUTORY REQUIREMENTS.

39. Section 372 of the Native Land Act, 1909, provided that no interest of a Native in Native land should be purchased by the Crown under the authority of Part XIX of the Act at a price which was less than the amount at which the capital value of that interest was valued under the Valuation of Land Act, 1908, in the district roll in force under that Act at the time of the contract of purchase. If no such valuation was then in force, the Native Land Purchase Board was to require the Valuer-General to make a special valuation of the interest proposed to be acquired, and the interest was not to be purchased at a price less than the amount at which it was so valued. No purchase was to be invalidated by any disregard of these requirements, but the deficiency in the purchase-money constituted a debt due by the Crown to the owner of the interest and recoverable accordingly in proceedings instituted within two years after that interest had become legally vested in the Crown.

VALUATIONS.

40. The sales of interests in the papakainga commenced in 1914 and continued until 1927. Particulars of the Government valuations made from time to time, as supplied by the Valuation Department, are as follows :—

- (a) Valuation appearing in the district valuation roll as at the 31st March, 1911, for Orakei No. 1 Reserve, containing 38 acres 3 roods 16 perches :—

	£
Capital value	7,780
Unimproved value	7,180
Improvements (Native houses, fencing, and grassing) ..	600

- (b) A special valuation as under was made on the 9th and 10th May, 1918, at the request of the Native Department. This valuation was recorded in the supplementary roll.

	£	£
Capital value	12,680	
Unimproved value	8,120	
Improvements—		
Buildings	4,410	
Fencing and grassing	150	
		4,560

The District Valuer's report dated 13th May, 1918, from which the valuation was compiled, shows the value of each of the buildings on the papakainga.

- (c) On the 31st March, 1919, the sum of £3,960 was added to the district valuation roll for new improvements. The position then was :—

	£
Capital value	11,740
Unimproved value	7,180
Improvements	4,560

- (d) The district was revised as at the 31st March, 1920, and the assessment appearing in the district valuation roll for Orakei No. 1 Reserve thereafter was :—

	£	£
Capital value	15,200	
Unimproved value	10,640	
Improvements—		
Buildings	4,410	
Fencing and grassing	150	
		4,560

- (e) The block having been subdivided, the valuation was apportioned, as on the 22nd August, 1921, between the several subdivisions, and the assessments appearing in the district valuation roll were as follows :—

Block.	Area.			Capital Value. £	Unimproved Value. £	Improvements. £
	A.	R.	P.			
Orakei No. 1 Reserve A and B ..	2	1	26	1,825	525	1,300*
Orakei No. 1 Reserve C 1 ..	5	0	11	2,600	1,650	950
Orakei No. 1 Reserve C 2 ..	31	1	19	10,775	8,465	2,310†
* Dwelling on Orakei No. 1 Reserve A ..				700		
Dwelling on Orakei No. 1 Reserve B ..				600		
† Eleven whares ..				2,160		
Fencing ..				50		
Clearing and grassing ..				100		