

Schedules of the whole of the cases heard by the Commissioners, with the original and amended and subsequently altered awards, and the proceedings of Government thereupon, were published by Government in 1849, and appended to the *Government Gazette* of that year.

There were 400 grants prepared, and about 350 issued, of which as only 42 convey islands or lands surveyed before the grants were prepared, the rest may be said to be imperfect and probably invalid.

It may be here mentioned, that where the lands claimed could not be obtained from the natives, or for other reasons, not be granted to the claimants, Governor Fitzroy gave compensation in land credits or scrip, amounting in all to £97,840, of which about £7000 remains unsatisfied.

3. *Sir George Grey's Attempts to Settle the Claims.*

Desiring to attempt some remedy for the evils arising from the uncertainty of title and ownership produced by the defective state of the grants above alluded to, Sir George Grey first caused the validity of one of them, the defects of which were such as affected the greater number, to be tried in the Supreme Court. But the Court having ruled that the grant was valid (though a similar decision in another case was subsequently reversed by the Privy Council,) Sir George Grey, on the 25th August, 1849, passed the Crown Titles Ordinance, Session 10, No 4, commonly called the "Quieting Titles Ordinance," the object of which was to declare the grants valid, subject to the following conditions:

As most of the grants declared grantees to be entitled to a certain amount of land, and then either gave no definite boundary or the boundaries of the land originally claimed (generally speaking, a much larger extent,) the Ordinance provided that no grant should convey more than one-sixth of the land more than the grantee was declared entitled to.

Where the Native Title had not been extinguished, compensation was to be given out of the Treasury, and charged on the land, to be repaid in three years. Where the land to be granted was not sufficiently particularized, selection might be made out of the whole block described in the grant.

Where the same piece had been given to two claimants, the Government was to grant such piece to each as the Commissioner reported just.

Where natives obstructed occupation, other lands of equivalent value (not town land) were to be selected by claimant before 1st July, 1851. In case of failure to do so, Commissioner to select, but not more than the quantity to which the grantee was recited to be entitled.

4. *Results of the above Measure.*

This attempt to settle these claims does not appear to have been successful. From evidence before your Committee, it appears that a very few of the old grantees (less than 20 in all) have obtained new grants for their original ones; and one or two have made selections according to its provisions.

The causes which have rendered the ordinance inoperative appear to be various. Ignorance of its provisions by the distant and widely scattered individuals affected by them; the expense of survey; the limited time for selection, and the trouble and cost of it,—these motives have had their weight; but chiefly the determination of the claimants to believe that their grants were good, and would ultimately be recognized; a determination induced by the unwillingness to resign a claim, however vague and ill grounded, to a large extent of land, in exchange for a valid and indefeasible right to a smaller portion.

5. *Present State of the Claims and Lands Claimed.*

The present state of the question, then, may thus be described. All the old claims may be ranged under the following heads:—

1. Claims sent in, but never referred to a Commissioner.
2. Claims referred to a Commissioner, but lapsed by default of claimants.
3. Claims referred to a Commissioner, but never adjudicated upon.
4. Claims adjudicated upon and disallowed.
5. Claims adjudicated upon and allowed, but for which no grants have been issued.
6. Claims adjudicated upon and allowed, and upon which imperfect grants have been issued.
7. Claims adjudicated upon and allowed, and upon which valid grants have been issued.

The whole amount the grants declare grantees entitled to may amount to 200,000 acres; but the grantees, considering themselves entitled to the whole amount described by the boundaries in the grants, claim at least 300,000.

The grants are often bought and sold, the repurchasers still preferring their claims. Some of the