

REPORTS BY THE

No. 5.

Copy of a Letter from Mr. T. HEALE to the Hon. the NATIVE MINISTER.

SIR,—

Inspector of Surveys' Office, 29th April, 1869.

On 9th November I forwarded, through the Hon. the Resident Minister, a memorandum setting out all the information I possessed respecting the payment for surveys at Poverty Bay and East Cape, and stating my conclusions that these surveys, though originally made for Native claimants, had been turned over to the Government, and have been paid for, and therefore that if the land should revert to the Natives, the cost of surveys ought to be recovered for the Government. Against these conclusions I have received a very angry remonstrance from one surveyor, and I find that claims for cost of surveys have been sent in by the surveyors, and that they have been referred to the Commissioners about to investigate land claims at Poverty Bay.

It appears to me that it will be impossible for the Commissioners to come to any decision on such claims without taking evidence as to what has been paid towards survey by the Government; and since the whole case seems one eminently calling for judicial investigation, I have the honor to suggest that it would be desirable either to refer to the Commissioners the whole question of survey of these lands, whether for the Government or for Native claimants, or else to have the former previously decided, and to furnish the result to the Commissioners for their guidance.

If the first course should be decided on, it might be proper for me to attend the investigation, and for Mr. Locke, as well as the Surveyors, to be summoned as witnesses.

I propose to proceed to Wellington by steamer of the 5th May, from whence I shall be prepared, if so instructed, to go to Poverty Bay.

I have, &c.,

THEOPH. HEALE,

Inspector of Surveys.

The Hon. the Native Minister.

No. 6.

REPORT on the INSPECTOR of SURVEYS' DEPARTMENT.

SIR,—

Wellington, 9th June, 1869.

The operation of the Native Lands Acts, by which landowners in any part of New Zealand are enabled to obtain for their possessions the security of tenure and the immutability of boundaries implied by the issue of Crown Grants, necessarily gave rise to a condition precisely similar in respect of surveys to the system which is well known as free selection, but without the check generally afforded under that system, which compels selectors to take their claims in blocks of certain sizes and forms with rectilinear boundaries, and otherwise in subordination to survey rules, whereas a Native claim may be of any size, and they commonly pursue the most sinuous and ill-defined boundaries. The object of the Acts was to define and to certify by the most authentic of instruments, the previously vague land claims of the Natives, and since purchasers cannot reasonably doubt the validity of a Crown Grant, the Government has become responsible for securing as far as in it lies that the land the subject of the grant exists, and is correctly described, which involves the necessity of record maps being maintained, and a general supervision of the private surveys being exercised by a Government Department.

It is obvious that the only way in which such surveys can be satisfactorily dealt with, is to triangulate the country, and to compel the estate surveyors to base their surveys on the triangulation; but at the time when my office was instituted, it was impossible to adopt suddenly a system which involves work preliminary to the detail surveys, and a practice of surveying to which unfortunately the great majority of surveyors for the Natives were wholly unaccustomed.

Many hundreds of maps of detached pieces of land, had already accumulated, and the work of surveying claims scattered all over the country was rapidly going on, and could not be checked; it became therefore necessary to adopt for the time a system of "building up" these topographical surveys by the aid of such information as could be obtained from all sources, and especially to establish some supervision over the work of the surveyors for the Natives, and to compel them to furnish connections with prior surveys when possible.

The functions then of the Department at the head of which I have been placed are divided into three classes:

1. The custody and due recording of the original survey maps of Native land claims in all parts of New Zealand, and their reduction and transfer on to the certificates of title.
2. The collating and checking these, as far as possible, by the very imperfect means of "building up," and such other safeguards as the circumstances admit of.
3. The extension of triangulation all over the North Island, with a view as early as possible to arrive at the condition from which all surveys ought to start, and so to be enabled to place upon the general map with precision every detail survey made in any part, and so ultimately to arrive at that complete determination of the geography of the country which is essential to every civilized government.

Now the earlier surveys for Native claimants were in general adjacent to blocks of land which had been bought through the Government; and such survey information as existed concerning these was only to be found in the Provincial Survey Offices, where the maps lay in great numbers, and generally in considerable confusion. The collating the Native Land Court surveys, therefore, could only be performed at the respective Provincial centres, and some part of the duties of my office had necessarily to be carried on by delegate at Wellington and Napier.

The head office was established in connection with the Native Land Court Office at Auckland, where the majority of Native land claims were going on; and there, with an establishment of two draftsmen, all the functions under the first head have been performed; there, also, a system was promptly established of keeping district maps, on which every land claim in the Province is invariably