

1875.

NEW ZEALAND.

HIGHWAYS AND ROAD BOARD ACTS IN NATIVE DISTRICTS,

(CORRESPONDENCE RELATING TO THE OPERATION OF THE).

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

No. 1.

Mr. JAMES MACKAY to the Hon. the NATIVE MINISTER.

SIR,—

Wellington, 18th June, 1875.

I have the honor to inform you that, in accordance with your instructions, I have taken steps, in conjunction with Mr. Clarke, District Engineer at Waikato, to lay off a line of road between Hamilton and the head of the navigation of the River Waikato or Thames, at Te Ruakohao.

The survey is completed, excepting a small portion which passes through Native lands at Te Au o Waikato, River Piako, owned by Paora te Ahuru and Te Hotene respectively.

The reason the line has not been surveyed over the lands granted to the Natives before mentioned is that they fear if a road is made through their property that they will render themselves liable to highway rates.

I may mention that this is not a solitary instance of this class of objection; it is not confined to one district, and it is constantly urged, as a reason for refusing rights-of-way, "that conceding a right of road gives the Government power to rate the owner of the land over which the road passes."

The opponents in the present case say they will at once give permission to construct the road through their property if I will guarantee them against highway rates being hereafter levied on them.

Maoris, as a rule, do not damage the public roads by heavy traffic. The small amount they contribute to the rates is of trifling importance compared with the difficulties they cause through stopping the construction of roads and other public works by their refusal to allow entry on their lands. As this is a growing evil, and one not to be lightly disregarded, I would beg to recommend for your consideration, whether it would not be advisable to introduce a measure into the General Assembly to regulate the rating of Native lands under the provision of the various Highways Acts in force within the colony.

This, in my opinion, should contain a provision, "That all lands held or owned by aboriginal natives of New Zealand within the colony shall, whether the same shall be the subject of a title derived from the Crown or not (except within the limits of any township), be deemed to be Native lands, and shall not be liable to be rated under any Highways Act now in force within the colony."

I would also point out that in some places the Natives are not able to pay highway rates, from absolute want of means.

I have, &c.,

JAMES MACKAY,

The Hon. the Native Minister, Wellington.

Agent, General Government.

No. 2.

MEMORANDUM for the Hon. the NATIVE MINISTER by the UNDER SECRETARY.

21st June, 1875.

I CAN quite confirm, from my own personal knowledge, what Mr. Mackay has stated in the attached letter as to the strong feeling entertained by the Natives in regard to the imposition of road rates on lands held by Natives under Crown grants, and it is a subject I submit that should receive some consideration.

This question of highway rates is one of the difficulties the Government have to meet in carrying roads through Native territory.

The Natives allege, and no argument will disabuse their minds, that once allow roads to be made through their property, so surely do they become liable to pay rates. It will be in the remembrance of the Native Minister that when the surveyors endeavoured to push on the survey of the Cambridge

and Tauranga Road they were stopped by the Ngatihana Natives, who gave this as a reason for their interference.

Then, again, I desire to draw the attention of the Native Minister to the fact that this is one of the reasons assigned by many Natives for looking with disfavour upon the operations of the Native Land Court. It is, I believe, a well-established fact that in a large majority of cases the Natives will not now submit their claims for adjudicating by that Court, unless they have previously arranged with some European to make some disposition of it. It was not known by the Natives when the Native Land Court first came into operation that, by commuting their Maori tenures for grants from the Crown, they were subjecting themselves to burdens never understood.

There are several letters on the files of this office, especially from the Kiapara districts, complaining of the burdens imposed upon them in the shape of road rates.

They infer that, instead of its being a great advantage to hold land under Crown grant, it has laid upon them burdens never explained to them, and of course never contemplated.

I respectfully submit that some steps should be taken to relieve the Natives of these taxes, and that some legislative action should be initiated to exempt all lands so granted to Natives, of which they have made no disposition, from road rates.

H. T. CLARKE.

No. 3.

Mr. J. MACKAY to the Hon. the NATIVE MINISTER.

SIR,—

Wellington, 6th August, 1875.

In further reference to my letter of the 18th June last, I have the honor to enclose herewith an extract from a private telegram received from Major Wilson, of Cambridge, respecting the Proclamation of the Waitoa District under the Highways Act. This materially affects the question of the main road from the Thames to Waikato.

On the 26th July I saw Tarapipipi te Kopara and the Ngatipaoa of Piako respecting the purchase of that block, and they informed me that they had stopped the survey of a proposed reserve until the questions about roads were settled.

They wished to be informed, if the right of road through the reserves was granted, whether the owners would become liable for highway rates, and requested me to satisfy them on that head before the execution of the final deed of cession.

The question is of very great importance, and the fact of the Native reserves having been rated by Highway Boards causes great dissatisfaction, and is the root of a great deal of the opposition which has been and will be displayed to the carrying out of the great scheme of public works within Native districts or upon lands held by the aboriginal population.

I have, &c.,

JAMES MACKAY.

The Hon. the Native Minister, Wellington.

Enclosure in No. 3.

Mr. JOHN WILSON to Mr. JAMES MACKAY.

(Extract from a Telegram.)

Cambridge, 6th August, 1875.

MAORIS much dissatisfied *re* Highway Board, Waitoa.

JOHN WILSON.

By Authority: GEORGE DIBBURN, Government Printer, Wellington.—1875.

Price 3d.]