

SESS. II.—1884.
NEW ZEALAND.

NATIVE AFFAIRS COMMITTEE

(REPORTS OF).

NGA KUPU A TE KOMITI O TE RUNANGA MO NGA MEA MAORI.

J. B. B. BRADSHAW, CHAIRMAN.

CLAIMS FOR REHEARING REFUSED BY THE CHIEF JUDGE, NATIVE LAND COURT.

THE Committee has the honour to report that it has this day passed the following resolution:—
“That the attention of the Government be called to the fact that a large proportion of the time of the Committee is occupied in receiving statements in regard to claims for rehearing which have been refused by the Chief Judge of the Native Land Court.

“That the constitution of the Committee, and the fact that the quorum seldom consists of the same persons for even two days together, forbids the idea that any just decision upon the merits of applications for rehearing could be made. There is the further difficulty, that the Committee has no opportunity to sit continuously, owing to the other duties of its members; and the expense of bringing to Wellington a sufficient number of witnesses, and maintaining them here, would therefore be most burdensome.

“That the Natives complain that it frequently happens that the Chief Judge is himself the person from whose decision they appeal; and they not unnaturally consider that it is difficult for him to review impartially his own previously-given judgment. It would appear that the Native Land Court is in the exceptional position that there is no appeal from its decision, and no remedy for its wrongful awards, except through special legislation.

“That, if possible, the attention of the Chief Judge should be more directed to determining appeals than hearing new cases, and thus he might be considered by the Natives as more likely to give an unbiassed opinion upon claims for rehearing.

“That the Government should be asked to consider whether legislation is necessary upon the subject of rehearing, and, if it thinks it is required, that any amending Act should contain such provisions as would be likely to lead to quieting Native susceptibilities upon this point. That it might be further considered whether it would not be advisable to specify by law the causes for which a rehearing may be granted: as, for instance, that new evidence is forthcoming, or that there is reasonable ground for assuming that the judgment was not in accordance with the evidence adduced.

“That, in the opinion of the Committee, the utmost care should be taken that the Native Assessor, sitting to adjudicate upon any block, should have no interest, either himself or through his family relations, in the land before the Court.

“17th October, 1884.”

[TRANSLATION.]

RIPOATA.

E WHAI honore ana te Komiti ki te ripoata kua whakaaetia e ratou tenei kupu whakaaari:—

“Me whakaatu ki te Kawanatanga te nui rawa o te taima e pau ana i tenei Komiti ki te whakarongo ki nga korero a nga kai tono whakawa tuarua i whakakahoretia e te Tumuaki o te Kooti Whenua Maori.

“Ko te ahua o tenei Komiti he penei kaore e tuturu ana nga mema ahakoa no nga ra e rua erangi he ra ano he mema ano he rangi ano ko era atu mema, he nui hoki no a ratou mahi hei whakaaro ma ratou te taea te ata whiriwhiri i nga take e tonoa nei nga whakawa tuarua. Tetahi tera e pau he moni nui rawa mehemea ka tonoa mai ki Poneke nei nga kai korero hei whakamarama i nga ritenga o aua tono.

“E ki ana nga Maori na te Tumuaki tonu etahi whakatau e tonoa nei ratou kia tuaruatia, a e whai take ana mo to ratou mahara penei he ahua uaua kia whakaarohia tika tia e ia ana whakatau ote tuatahi. A kitea iho kei te Kooti Whenua Maori anake tenei ahua inahoki kahore e taea te turaki i ona whakatau. Kaore hoki he ora mo aua whakatau e he ana. Ma te homaitanga o tetahi ture hou katahi ka taea.

“Mehemea ka taea te penei, kati he mahi ma te Tumuaki ko te hurihuri me te tiro tiro inga tono whakawa tuarua anake. Kauaka ia e whakawa i nga papa tupu. Katahi pea nga Maori mahara ai kua haere tika ana kupu whakaae whakakore ranei i aua tono.