

1890.  
NEW ZEALAND.

# JOINT MIDDLE ISLAND NATIVE CLAIMS COMMITTEE

(REPORT OF THE).

*Brought up 9th September, 1890, and ordered to be printed.*

## ORDER OF REFERENCE.

*Extract from the Journals of the House of Representatives.*

FRIDAY, THE 20TH DAY OF JUNE, 1890.

*Resolved*, "That a Committee, consisting of nine members, be appointed, with power to confer with any similar Committee of the Legislative Council, to consider and report upon the claims of the Middle Island Natives on account of unfulfilled promises, and the recommendations made by Mr. Commissioner Mackay thereon on the 5th May, 1887 (G.-1, 1888): the Committee to consist of Mr. Arthur, the Hon. Mr. Ballance, the Hon. Mr. Bryce, Mr. Carroll, the Hon. Sir J. Hall, Mr. Monk, Mr. Ormond, Mr. Samuel, and the Mover."—(Hon. Mr. MITCHELSON.)

## REPORT.

THE Joint Committee appointed to consider and report upon the Middle Island Native claims has the honour to report that it has, during the present session, resumed the inquiry into the Otakou case. The position in which this case was left by the inquiry of last session was that steps should be taken in the recess to ascertain the nature of the instructions from the Governor asked for by the late Major Richmond, C.B., in his letter of 12th June, 1844. Reference to the Colonial Office was made accordingly, with the result that no evidence can be obtained showing that instructions were ever given by the Governor to reserve "tenths." After careful consideration, your Committee has been unable to satisfy itself that the principle of "tenths" was applicable to the Otakou purchase. Mr. Symonds, who made the purchase, distinctly reported that he did not inform the Natives that "tenths" would apply, because he was satisfied that the Native vendors could not understand the principle, and intimated that he left the "tenths" to be arranged for by the Governor, who does not seem, so far as public records show, to have done anything to secure the application of "tenths" to this purchase.

Your Committee is impressed by the importance of losing no more time in making provision for such descendants of the Native vendors as may require it, and who may reasonably be thought to have a claim to consideration. Whilst your Committee does not feel justified by the evidence and information in reporting that the principle of "tenths" should be recognised as applicable to the Otakou case, it is still of opinion that, in cases where the descendants of the vendors are unprovided with land reasonably sufficient for their support, it would not be creditable to the colony to refuse them assistance. The evidence taken this session goes to show that the existing provision in land is by no means sufficient.

The view of the Committee therefore is that careful inquiry should be forthwith made on the following questions:—

- (1.) What descendants of the Native vendors are now living?
- (2.) What lands and means of support have they at present?
- (3.) What provision in land may be reasonably made in each case in which relief is deemed proper?
- (4.) What land is at once available, and suitable for the purpose?

Your Committee strongly recommends that any lands allotted should be made inalienable; and also that the inquiry should be begun without delay. The inquiries recommended in the report of last session in the Ngaitahu, Akaroa, and Murihiku cases may probably be conducted most conveniently by the same officer as the one to be appointed to deal with the Otakou case.

9th September, 1890.

E. C. J. STEVENS,  
Chairman.

[The evidence, &c., was not ordered to be printed.]

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