

In connection with this report, I beg to forward for your Excellency's information—(1.) A copy of the minutes of evidence taken at the inquiry held in April last; (2) copies of all the principal correspondence bearing on the question, as well as copies of all the deeds of cession pertaining to the several blocks out of which the present difficulty has arisen; (3) a plan of a portion of the Wairarapa district, on which the several purchases and other details are delineated.

All these particulars are humbly submitted to your Excellency's consideration.

Signed and sealed at Wellington this tenth day of June, 1891.

(L.S.) A. MACKAY, Commissioner.

WAIRARAPA LAKE QUESTION.—MEMORIAL BY THE SOLICITORS FOR THE NATIVES.

WE have the honour to submit for the consideration of the Commissioner, Alexander Mackay, Esq., a Judge of the Native Land Court, the following statement on behalf of the Native owners of the Wairarapa Lake, whose grievances, as set forth in their petition dated the 28th day of June, 1890, form the subject of inquiry before the Royal Commission constituted under the seal of the colony on the 11th day of November, 1890.

For the sake of brevity we propose to state in the following pages, in general only, what we conceive to be the effect of the uncontradicted evidence, documentary and oral, which has been produced before the Commission, referring to the evidence only where it appears to us material to take such a course, or where a conflict of testimony occurs which seems to call for a comparison. We commence by a historical summary of the incidents which have led to the position upon which the Royal Commission is appointed to report.

Prior to the settlement of these Islands by Europeans, sheep and cattle as food were unknown to the aboriginal race, who derived sustenance from several kinds of roots, birds, rats, and fish. Fish constituted the most important article of diet; consequently, whilst the lands in European opinion most valuable were frequently neglected, those spots which were renowned as fishing-stations were of supreme importance. The Wairarapa Lake was one of these.

The lake or lakes, for there are two together, cover an area of 24,590 acres when low, or extended over 52,590 acres when at their highest normal level.

As the whole question before the Commission turns upon the peculiarities of the lakes themselves, we propose to describe these from the evidence.

The usual outlet of the lake to Palliser Bay lies across a spit or ridge of sand shown in the plan, to which we crave leave to refer. This outlet closes during certain months of every year in consequence of causes which have existed from time immemorial. These causes may be described as follows: A perpetual struggle is now, and from time immemorial has been, going on between the ocean sweeping into Palliser Bay with great force in southerly weather and the various rivers and streams which find an outlet through the Wairarapa Lake, and thence through the sandspit before mentioned. The ocean piling great drifts of sand across the outlet, the waters of the lake, fed by numerous streams, constantly striving to sweep them away. During those months of the year when the rainfall is heaviest the fresh water keeps open the outlet of the lake; but during the summer and autumn, when the rainfall is least, and the streams fall, the current and volume of water in the lake is not sufficient to keep the drifts of ocean-sand from closing the outlet. The outlet closes, and the ocean rapidly strengthens the barrier. All through the dry months of the year the lake has no outlet to the sea, and continues closed until the confined waters rise considerably above the sea-level, and exert a pressure which ultimately breaks through the sand-barrier.

The evidence shows the foregoing to be the annual course of events. The period of closing sometimes commences in November, sometimes not until December or January, according to the seasons, and the lake continues closed until May; but the closing and consequent rising of the lake is an annual occurrence.

The value of the lake-fisheries depend upon the continuance of the closed period, as will be hereafter described.

When the lake is closed the waters gradually cover large tracts of low-lying and swampy lands, which are again left bare when the lake waters force their outlet to the sea. The height to which the waters of the lake rise does not vary from year to year unless on a rare occurrence of a heavy flood towards the end of the closed season. This overflow of the lake is not due to floods in the ordinary sense, but to the sand-barrier which has been described.

The lake abounds with various descriptions of eels, formerly the staple and now an important article of diet amongst the Natives, and with flounders. These fish are obtainable all the year round in the lake, and in the lagoons and streams along the margin; but the main fishery is in April and May, along the sandspit at the mouth of the lower lake, and where the lake is closed. At this season eels, in a good year, are captured by hundreds of tons and dried in great quantities and distributed throughout the entire North Island, the silver and other descriptions of eels being famed throughout the length and breadth of the Island. The fishing at the sandspit in the months of April and May derives its importance from the fact that at that season the eels in immense numbers come from all parts of the lakes, lagoons, and rivers inland, as it is assumed, for the purpose of depositing their young in the sea, or on the sandbanks. Finding further progress towards the ocean barred, they collect along the interior of the sandbank, and are easily captured in huge baskets set for the purpose. When the sandbank is artificially opened before the close of the season the eels disperse to sea, and the fishing is at an end.