

THE WAIRARAPA LAKE COMMISSION.

DURING the past week Judge Mackay has been sitting as Special Commissioner to inquire into the Wairarapa Lake question. In 1853 Sir Donald McLean purchased from the Natives, in four sales, all the land outside the then high-water mark of the lake, but the lake itself and all fishing-rights in it, and in all rivers, lagoons, and streams on the land sold, were reserved to the Natives. The 1853 high-water mark, being the boundary of the land sold to the Government, the Maoris contend that the then high-water mark is not the present one, as it was altered by the great earthquake of 1855, which lowered the lake and raised large tracts of land formerly covered with water. In 1876 a certain chief named Hiko and sixteen other Natives sold to the Government their fishing-rights, and also a portion of the land upheaved from the lake, and which, from its non-existence at the time, could have formed no part of the 1853 bargains. This sale included the spit of land which, at certain seasons of the year, divides the lower lake from the sea. When this spit is completely closed the lake overflows, and floods the low lands, the water not being able to find its way to the sea.

Prior to 1876 arrangements were made from time to time with the Natives themselves by the settlers to cut through this spit and drain off the surplus water to the sea; this being done after the usual Native fishing season. However, after 1876, in consequence of the sale made by Hiko and others, the settlers attempted to open the lake themselves, and were forcibly stopped by the Natives, who contended that the sale made by Hiko did not give the settlers the right to interfere with the spit, because the settlers were only a portion of the parties interested. The objection to the opening of this spit is the effect it has upon the fish. When the lake is quite closed and the waters are high the eels and other fish are found along this spit of land, and are caught in vast quantities without any trouble. When this spit is cut through, and the waters of the lake lower, the eels make their way back to the lagoons and streams, and are not to be caught in such great numbers in any one spot. In the year 1883 the matter was brought before the Land Court, and Judge Brookfield gave his award in favour of the Natives in so far as regards their title to the lake only, fixing their boundary at the then high-water mark, and ignoring that of 1853. Some two or three sessions ago a clause was inserted in the Public Works Act giving power to any River Boards to deal with such obstructions as the spit in question. Immediately after this the Featherston River Board was formed, and since then this body has opened the lake whenever it thought necessary, without consulting the Natives in any way. Last session a petition to Parliament was presented from the Natives interested, and Judge Mackay was appointed a special Commissioner to inquire into the matter, and report to Parliament.

Briefly summarised, the Maoris claim to have their title recognised to the land within the old high-water mark of 1853, and also compensation for deterioration in value of their fishing-rights caused by the cutting through of the spit. The inquiry has been adjourned to Wellington, and will be resumed there on the 16th instant, principally to take the evidence of Mr. Cooper, who completed the purchase of 1853 on behalf of the Government. Documentary evidence will also be handed in by Mr. Menteath, who is a solicitor to the petitioning Natives. I understand the Maoris would be quite willing to allow the spit to be cut through after their usual fishing-season closes, but they insist upon their title to the land claimed—that is, the land which lays between the high-water mark of 1853 and the boundary fixed by the Native Land Court in 1883, which boundary was contrary to the terms of the sales of 1853. This land has all been sold to settlers by the Government.

No. 82.—TURAKIRAE BLOCK. (BLOCK I., WEST SIDE OF LAKE, WAIRARAPA DISTRICT.)

THIS paper or deed conveying land, written on this day, on the 1st of the days of September, in the year of our Lord, 1853, is a deed or paper of the full and true consent of us, the chiefs and people of Ngatikahungunu, whose names are written to this deed on behalf of ourselves, our relatives, and descendants, to entirely convey and transfer a portion of our land or country to Victoria, the Queen of England, or to the kings or queens who may succeed her for ever and ever.

And having agreed and consented as above to transfer a portion of our land, Victoria, the Queen of England, on her part agrees to pay us a sum of £2,000 in money: £1,000 of the said money has been paid into our hands by Mr. McLean this day; £500 of the said money is to be paid to us in the days of May, in the year of our Lord, 1854; £500, the last instalment for the said land, is to be paid to us in the days of May, in the year of our Lord, 1855. It is further agreed to by the Queen of England on her part to pay us at certain periods within certain years, to be decided on by the Governor of New Zealand and ourselves—that is, that we are to have a certain additional consideration for the lands we have sold, to be paid to us for the forming of schools to teach our children, for the construction of flour-mills for us, for the construction of hospitals and for medical attendance for us, and also for certain annuities to be paid to us for certain of our chiefs; but it is hereby agreed that we, ourselves, and certain officers, who shall be appointed by the Queen or the Governor of New Zealand, shall carefully discuss in committee to which, and at what times, and in what proportions the said money shall be applied to each of the purposes above specified. The payments to be made annually to our chiefs are to be decided upon by the Governor of New Zealand only, or by an officer appointed by him, who shall have the power of deciding as to which chiefs shall receive the said annual payments. These payments for all the above purposes are to be as follows—that is, when the surveys are complete and the land is resold which we have transferred to the Queen of England, or to the kings or queens who may succeed her; a certain portion of the money to be received by the Queen or Government of New Zealand as payment for the said land is to be deducted for the purposes which have been above specified. The amount of the money which is to be returned to us is 5 per cent., or equal to £5 out of every £100, after deducting the surveys and other expenses connected with laying off the said lands,