

1909.

NEW ZEALAND.

NATIVE LANDS AND NATIVE-LAND TENURE:

COMMISSION UNDER THE HAND OF HIS EXCELLENCY THE GOVERNOR; AND INTERIM REPORT
OF NATIVE LAND COMMISSION, ON NATIVE LANDS IN THE COUNTY OF WAIROA.

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

COMMISSION

TO INQUIRE INTO THE QUESTION OF NATIVE LANDS AND NATIVE-LAND
TENURE.

PLUNKET, Governor.

To all to whom these presents shall come, and to Sir Robert Stout, Knight
Commander of the Most Distinguished Order of Saint Michael and
Saint George, Chief Justice of the Dominion of New Zealand; and to
Jackson Palmer, Esquire, Chief Judge of the Native Land Court:
Greeting.

WHEREAS there are large areas of Native lands of which some are unoccupied
and others partially and unprofitably occupied: And whereas it would be for the
benefit of the Natives themselves and to the advantage of European settlement
if prompt and effective provision were made whereby such lands should be pro-
fitably occupied, cultivated, and improved: And whereas for the purpose of
inquiring and reporting as to the best methods to be adopted in the premises,
certain Commissioners were appointed by the Governor in Council on the twenty-
first day of January, one thousand nine hundred and seven: And whereas the
said Commissioners have made several reports in the premises, but have not
finally completed their inquiries: And whereas by virtue of section fifty-two of
“The Native Land Settlement Act, 1907,” the powers and functions of the said
Commissioners ceased on the first day of January, one thousand nine hundred
and nine: And whereas it is expedient that provision should be made to com-
plete such inquiries: And whereas it is also expedient that provision should
be made for the consolidation of the various Acts relating to Native land and
Native affairs:

Now, therefore, in exercise of the powers conferred on me by “The Com-
missions of Inquiry Act, 1908,” and of all other powers and authorities enabling
me in that behalf, I, William Lee, Baron Plunket, the Governor of the Dominion
of New Zealand, acting by and with the advice and consent of the Executive
Council of the said Dominion, do hereby appoint you, the said

SIR ROBERT STOUT and
JACKSON PALMER,

to be a Commission to inquire and report as to the following matters:—

1. What areas of Native lands there are which are unoccupied or not profitably occupied, the owners thereof, and, if in your opinion necessary, the nature of such owners' titles and the interest affecting the same.

2. How such lands can best be utilised and settled in the interests of the Native owners and the public good.

3. What areas (if any) of such lands could or should be set apart—

- (a.) For the individual occupation of the Native owners, and for purposes of cultivation and farming;
- (b.) As communal lands for the purposes of the Native owners as a body, tribe, or village;
- (c.) For future occupation by the descendants or successors of the Native owners, and how such land can in the meantime be properly and profitably used;
- (d.) For settlement by other Natives than the Native owners, and on what terms and conditions, and by what modes of disposition;
- (e.) For settlement by Europeans, on what terms and conditions, by what modes of disposition, in what areas, and with what safeguards to prevent the subsequent aggregation of such areas in European hands.

4. How the existing institutions established amongst Natives and the existing systems of dealing with Native lands can best be utilised or adapted for the purposes aforesaid, and to what extent or in what manner they should be modified.

For all the purposes aforesaid you are hereby empowered to continue and complete the inquiries commenced by the aforesaid Commissioners.

And you are hereby enjoined to make such suggestions and recommendations as you may consider desirable or necessary with respect to the foregoing matters, and generally with respect to the necessity of legislation in the premises, including the preparation of a draft Bill, embodying your suggested legislation, and consolidating the existing enactments relating to Native lands and the affairs of Natives. In the preparation of the said Bill you are directed to proceed on the lines indicated in "The Reprint of Statutes Act, 1895," with such modifications as you deem necessary.

And, with the like advice and consent, I do further appoint you, the said

Sir ROBERT STOUT,

to be Chairman of the said Commission.

And for the better enabling you, the said Commission, to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents at such times and places in New Zealand as you deem expedient, with power to adjourn from time to time and from place to place as you think fit, and to call before you and examine on oath or otherwise, as may be allowed by law, such person or persons as you think capable of affording you information in the premises; and you are also hereby empowered to call for and examine all such books, documents, papers, plans, maps, or records as you deem likely to afford you the fullest information on the subject-matter of this inquiry, and to inquire of and concerning the premises by all lawful ways and means whatsoever. And, using all diligence, you are required to transmit to me, under your hands and seals, your reports and recommendations from time to time after the inquiries aforesaid have been made in respect of any considerable blocks or areas of Native land; and to transmit to me your first report not later than the twenty-eighth day of February, one thousand nine hundred and nine, or such extended date as may hereafter be named by me in that behalf, and your final report not later than the seventh day of March, one thousand nine hundred and nine, or such extended date as may hereafter be named by me. And you are directed to so frame your reports as to facilitate prompt action being taken thereon, and in particular to furnish in such reports such detail as to the lands available for European settlement as will enable Parliament, if it deem fit, to give immediate legislative effect to such parts of your reports. And it is hereby declared that these presents shall

continue in full force and virtue although the inquiry may not be regularly continued from time to time or from place to place by adjournment. And, lastly, it is hereby further declared that these presents are issued under and subject to the provisions of "The Commissions of Inquiry Act, 1908."

Given under the hand of His Excellency the Right Honourable William Lee, Baron Plunket, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Governor and Commander-in-Chief in and over His Majesty's Dominion of New Zealand and its Dependencies; and issued under the Seal of the said Dominion, at the Government House, at Wellington, this twenty-third day of January, in the year of our Lord one thousand nine hundred and nine.

J. CARROLL.

Approved in Council.

ALEX. WILLIS,

Clerk of the Executive Council.

REPORT.

Native Land Commission, Wellington, 26th February, 1909.

To His Excellency the Governor.

MAY IT PLEASE YOUR EXCELLENCY,—

We have the honour to state that we have undertaken the burden of the Commission you were pleased to issue to us on the 23rd January, 1909, in regard to the Native lands, and the consolidation and amendment of the Native-land laws. We, as our first interim report, beg to submit the following for Your Excellency's consideration:—

Certain lands in the Wairoa County have already been reported on by the Commissioners appointed under Your Excellency's Commission dated the 21st day of January, 1907 (see Parliamentary Paper G.-1, 1907), and by them recommended to be reserved for Maori occupation. This recommendation was carried into effect by Order in Council dated the 18th day of February, 1908, whereby the lands the subject thereof were brought under Part II of "The Native Land Settlement Act, 1907."

Since the said Commissioners reported to Your Excellency, and since the issue of the said Order in Council, the owners have expressed a desire that the lands mentioned in the schedule hereto should be leased to Maoris. The recommendations of the former Commissioners did not go so far as to say that the lands in question should be leased to Maoris, because in most cases arrangements for the purpose were not advanced enough when such lands were inquired into. We have also ascertained from the Maori Land Board that at its recent sitting in the Wairoa district the Native owners urged the settlement of the lands mentioned in the Schedule hereto by way of lease to specified owners or Maoris.

We accordingly recommend that these lands be leased to Maoris as provided by Part II of "The Native Land Settlement Act, 1907."

We have the honour to be,

Your Excellency's obedient servants,

ROBERT STOUT, }
JACKSON PALMER, } Commissioners.

SCHEDULE.

(a.) RECOMMENDED TO BE LEASED TO MAORIS UNDER PART II OF "THE NATIVE LAND SETTLEMENT ACT, 1907."

Name of Block.	Area.			Specified Lessee.	Remarks.
	A.	R.	P.		
Nuhaka 2A, 4D	158	0	0	Hori Ngawai Mete.	
" 2A, 4E	103	0	0	Hemi Mete and Hirini Mete.	
" 2A, 4L	172	0	0		
" 2A, 4R	50	0	0	Hori Mete	Part only. Hori Mete to supply list of lessees to Board. Balance family farm.
" 2B, 2B	168	0	0	Peta Nepia	Excluding interest of Toro Nepia.
" 2B, 2C	332	0	0	Henare Kirinini, Hairuha Christie.	
" 2B, 2D	258	0	0	Hohepa Weko, Heta Wehikore.	
" 2B, 2E	101	0	0	Pita Mete.	
" 2B, 2F	184	0	0	To lessees specified for 2B, 2A.	
" 2B, 2G	165	0	0		
" 2D, 2H	282	0	0	Wiremu Sturm.	
" 2D, 2J	347	0	0	Mere Morera.	
" 2D, 2L	607	0	0	Several	Subdivision required to cut out non-lessors.
" 2D, 2O	113	0	0	Rewi Huruhuru	Interests of Mrs. Whitfield and Barney Reed to be cut out.
" 2D, 2P	476	0	0	Several	Subdivision of interests required.
" 2E, 3A	250	0	0	Several	Subdivision of interests required.
Mohaka No. 9	800	0	0	Being arranged.	
" No. 13	3,506	0	0	Several	Such portions as the owners may desire on completion of subdivisions.
" No. 19	1,172	0	0	Being arranged.	
" No. 53	380	0	0	Being arranged.	

(b.) RECOMMENDED TO BE MADE SUBJECT TO PART II OF "THE NATIVE LAND SETTLEMENT ACT, 1907," as the Leases to Europeans have been abandoned, and to be leased to Maoris.

Name of Block.	Area.			Specified Lessee.	Remarks.
	A.	R.	P.		
Tutaekuri 1c No. 7	468	0	0	Maki te Kuru.	
" 1c No. 8	556	2	0		

The whole of the above areas are approximate only.

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