

*Mr. Macandrew.*

9th Oct., 1872.

I may say that there is no desire whatever on the part of the Provincial authorities to withstand any well-founded claim which may be adduced on behalf of the Maoris. For my own part, so far from resisting, I shall be the first to recognize and give effect to any claim which may be proven to exist, either at law or in equity. At the same time, I cannot regard as of much weight the bare assertions of the Hon. Mr. Mantell, unsupported by any written testimony, with regard to negotiations at which he was not present, and which occurred some thirty years ago, the more especially in the face of the fact that, during the space of some three years, this gentleman, as Commissioner of Crown Lands specially deputed for the purpose, had every opportunity of recommending whatever reserves he might see fit; an opportunity which he did not fail to exercise to the fullest extent which circumstances at that time seemed to warrant, and which resulted in a number of the most valuable spots of land in the Province being now set aside as Native reserves. Some of these reserves, such, for example, as the thousand acres at Tautuku, appear to have been made unsolicited by the Natives, and are not likely ever to be occupied by them.

It must, I think, be obvious that very serious complications may arise, were it for a moment to be conceded that after the lapse of a quarter of a century, under the plea of unfulfilled promises based entirely upon hearsay and *ex parte* evidence, we are to go outside of the deeds of cession—deeds which specially embody all the reserves which were bargained for at the time. If we are to go outside of the deed of cession, it appears to me that we open the door to the whole of the lands included in the deed being claimed as Native reserves. The action of the Native Lands Court, as regards Otago, I hold to have been arbitrary and capricious. It appears to me, that the Court had as good ground for setting aside one million of acres as it had for reserving one thousand acres at Tautuku.

If the Natives do not already possess as much land as they can beneficially occupy, I, for one, am prepared to agree to the necessary action, in order to place them in possession of more.

As regards the Princes Street Reserve, I have only to observe that Sir G. Grey had no more right to divert it from its original purpose than he had to dispossess the land purchaser in Otago of any other portion of the properties acquired by them under the authority of the Imperial Legislature. As, however, this question is now *sub judice*, it seems unnecessary to enlarge upon it.