

HAWKE'S BAY NATIVE LANDS ALIENATION COMMISSION.

REPORTS BY MR. COMMISSIONER HIKAIRO AND MR. COMMISSIONER WHEORO.

[See Note prefacing the series of Reports by the Chairman. There are no Reports by the Native Commissioner on the following unimportant cases, Nos. V., VII., XII., XV., and XXXIV.]

GENERAL REPORT BY MR. COMMISSIONER HIKAIRO.

I WENT to Hawke's Bay in accordance with the instructions of Parliament that I should go to inquire into the complaints of the Maoris of that Province, which they had sent in to the Government on the subject of sales and other dealings affecting land.

Very many complaints were sent in by the Natives of the said Province to us, but we were not able to inquire into them all, because our Chairman had to leave in order to attend to his duty as Judge of the Supreme Court; however, even had we continued to sit and consider the complaints laid before us, I think we could not have finished within a year.

The complaints of the people of the said Province in the matter of certain old Government land purchases which are set forth in the Schedule to "The Hawke's Bay Native Lands Alienation Commission Act, 1872," were all inquired into by us.

I shall deal in the first place with the complaints against the Government.

I consider that those complaints really arise from agreements made between the Natives and the Government Land Purchase Commissioners, at the time when the lands were purchased, which agreements have not been carried out; but it was not clear to me whether the objections to those complaints should be made by the General Government, the Provincial Government, or by the Land Purchase Commissioners. Some of these complaints were not proper ones to make.

I shall now refer to the complaints about land purchased after the passing of "The Native Lands Act," but first allow me to say that the Maoris of Hawke's Bay are in great distress on account of the want of land.

The Maoris who appeared before us stated that the great distress under which they were suffering was caused by the operation of "The Native Lands Act;" but it is my opinion that long before the Act was passed the Europeans of that Province had laid their plans for the acquisition of the land of their Maori friends, because prior to the passing of any Native Lands Act much land had passed into the possession of the Europeans under lease, and on that account the large blocks of land were not divided and granted in portions, the lessees being afraid that their leases would be disturbed. That I consider to be the source from which the trouble in which these people are has arisen.

I admit there is some force in the argument against the Native Lands Act, because through that it was no use for the careful people to exercise care, and any objections raised could not be sustained. For the care and the objections were not in reference to merely one portion of land, but to all the land claimed by the tribe or hapu.

However, the Native Lands Act is in operation over the whole Colony, and not in Hawke's Bay only; but it is worked differently by the Europeans in the other Provinces with regard to their Maori friends. That is a reason why I think that it was a planned thing on the part of the Europeans of that Province, so that they might get all the land of their Maori friends.

There are many matters which I can point out to you to show the difference between the Province of Hawke's Bay and all other parts of this Island.

First, The mode of purchasing the lands, the complaints affecting which we investigated.

1. The purchases were conducted in this way: The storekeepers in the first place gave goods on credit to grantees of land, and afterwards asked that the land should be sold to them for a very small price. The owner of the land might desire to keep it, but what could he do, being in fear about his debts, and so he agreed to sell.
2. The negotiations for lands which we dealt with were conducted with the grantees separately, sometimes on the roads, in some cases in public-houses, in some cases in the bedrooms of the owners, and also when they were sick.
3. The signatures were also obtained separately; in like manner as they were urged [to dispose of their lands].
4. The grantees were continually urged to sell, and the purchasers only stopped teasing them when consent to sell was given.

Now sales of land in other districts are differently managed. The commencement of land purchasing is not to give goods on credit; but the European or Europeans desiring to purchase land first call all the grantees together in one place, and then the interpreter explains the conditions of the proposed purchase, so that all may know. If all the owners agree to sell, then they all sign the conveyance, and then, at the same time, the price agreed upon is paid over by the European or Europeans purchasing, in the sight of every one. In cases where some are for and some against selling, then they ask for a subdivision of the land between those who wish to sell and those who do not, and then three documents are executed, one by the sellers agreeing to sell, one a statement by them that they will not