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## NATIVE RESERVES, NELSON AND GREYMOUTH

(PAPERS RELATING TO, BY A. MACKAY, WITH STATEMENTS OF RECEIPTS AND EXPENDITURE).

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

MR. ALEXANDER MACKAY to the UNDER SECRETARY, Native Department.

SIR,—

Native Reserves Office, Nelson, 1st August, 1879.

I have the honor to forward herewith the annual statement of the receipts and expenditure of the Nelson and Greymouth Native Reserve Funds for the year ending the 30th June, 1879.

In fulfilment of a promise made by the Hon. the Native Minister to the Natives claiming the West Coast reserves, Mr. Thomas Young was appointed under Royal Commission to investigate and report on the claims of these people to the aforesaid lands, with a view to issue them Crown titles on certain conditions. The inquiry was held at Greymouth in February last, when the claims to the whole of the reserves from Jackson's Bay to the River Buller were investigated, and the land allotted amongst the claimants as near as possible in accordance with the principle it was intended to observe on the setting-apart of these reserves in 1860.

In the instructions to Mr. James Mackay in 1859 concerning the quantity of land to be set apart as Native reserves within the West Coast purchase, he was directed to allot the principal men a certain quantity of land each, and those occupying a minor position a lesser area in accordance with the scale decided on by the Government. For many reasons, however, it was found impracticable to carry out these directions at the time; but the principle has been observed in partitioning the several reserves amongst the persons who proved their claims before the Commission.

In dividing the reserves, care was taken, as far as possible, to prevent injustice being done to the majority by the desire manifested by some of the residents to admit as participators a number of their friends who had no special claim for consideration in the matter, but whose admission, without sufficient precaution had been taken, would have tended to diminish the acreage divisible amongst the *bonâ fide* claimants. The mode of procedure adopted in cases of this kind was to make a nominal division of the land amongst the persons beneficially entitled, and then allow those who desired to divide their shares with their friends to do so. By this plan those who were disposed to be generous at the expense of the majority were curtailed from sacrificing the interests of others on the altar of their pretended liberality.

Owing to the unequal value of the reserve at Greymouth, it was found necessary, in order to divide the estate satisfactorily amongst the claimants, to adopt the following plan: After ascertaining the persons who were entitled to the lands, a nominal division was made amongst each of the families in proportion to the quantity they were entitled to. This enabled a formula to be adopted for dividing the property equitably amongst them, and defining the amount of annual income payable to each.

In order to give effect to the scheme, it is proposed to treat the land on the principle of an estate in coparcenary, each parcener being entitled nominally to a distinct severalty without actual partition on the ground, as the character of the land precludes the possibility of effecting a satisfactory division in that manner. In pursuance with this intention it was agreed that the income accruing from the estate should be treated as follows—viz., that three-fourths should be divided amongst the persons beneficially entitled, and the remaining fourth be set apart to defray other claims on the revenue not otherwise provided for, as well as the expense of management and other cognate charges. The annexed schedule exemplifies the proposed division of the income amongst the recipients.

The inquiry held respecting these reserves, even if nothing further results from it, has been the means of ascertaining and defining the claims of the persons beneficially interested; and that, in itself, is of great importance. The information obtained will also prove a valuable record in regard to future questions of title.

The contemplated change in the tenure of the reserves on the West Coast has given rise to a good deal of anxiety on the part of the residents at Greymouth, as to the probable effect it may have on their position as tenants; and the general feeling is that, in any measure that may be introduced in Parliament to empower the issue of Crown titles to the Natives, ample provision should be made for the protection of the equitable rights of persons who have accepted leases under the Natives Reserves Acts in the full confidence that such mode of occupancy would be perpetuated.