

No. 3.

REPORT ON MRS. PLUMBRIDGE'S LAND CLAIMS.

The Hon. Sir W Fox, West Coast Commissioner, to the Hon. W Rolleston, Native Minister.
SIR,—

West Coast Commissioner's Office, Hawera, 22nd April, 1881.

I have the honor to enclose a report upon the claims of Mrs. Plumbridge, formerly Louisa Taylor, to lands in this district, and to request that you will lay the same before His Excellency the Governor for his information.

I have, &c.,

WILLIAM FOX,
West Coast Commissioner.

The Hon. W Rolleston, Native Minister.

Enclosure in No. 3.

REPORT by the COMMISSIONER appointed under "The West Coast Settlement (North Island) Act, 1880," on the case of Louisa M. Plumbridge. See her claim appended, dated 12th April, 1880. (Sub-Enclosure No. 1.)

"COMPENSATION" has become a household word in New Zealand. A mere list of the claims to compensation which, since the foundation of the colony, have been laid before the Government, and many of them satisfied with profuse liberality, would fill volumes. It would almost appear as if the Government had been a continual wrong-doer, and, afflicted by a morbid tenderness of conscience, had been perpetually making fourfold restitution. Nothing of the sort, it is believed, can be traced in the history of any other British colony; while nothing is more notorious than the unwillingness of the Imperial Government to admit individual claims of the sort against itself. Some of the claims which have been prosecuted in this colony were of comparatively small significance at first; but by persistent assertion through a long series of years, have ultimately resulted in enormous awards in behalf of the claimants. The conditions of success appear to be, to ask enough; if refused, ask more; and never give over asking. By a careful observance of this rule splendid results have followed; large sums of money or large slices of the public domain have rewarded the perseverance of the claimants.

After a long experience, I have seldom met with a more instructive illustration of the system than is to be found in the case of Louisa Plumbridge's claim. Her claim appears to have been first made to the Compensation Court, established under the New Zealand Settlements Act, and rejected by it. She then, in November, 1866, appealed to Governor Sir George Grey by letter. The claim has survived the terms of office of six Governors, of five or six Native Ministers, and of as many Under-Secretaries, and fifteen sessions of Parliament. It has been examined by the experienced local Commissioners, Major Parris and Major Brown, the former of whom more than once consulted all the leading men of the tribes upon it. At first it was limited to a few acres of waste land at or near Warea, assessed by Mr. Under-Secretary Rolleston at 25 acres, worth at the time probably £10. It was ultimately disposed of by a grant of 100 acres of land of the best quality in another part of the country, for which she refused £500 cash.

From the very first two fatal defects in her claim were pointed out by Major Parris.

1st. She claimed through her mother. But her mother was, and is still, alive, and living on the land claimed by her daughter.

2nd. The only claim supported by the least evidence was to a small piece of land near Warea. If she had any claim at all, it was based on the supposed fact of the land having been confiscated. But it was distinctly shown by Major Parris that neither the land in question, nor any within ten miles of it, had ever been confiscated. These fatal defects, though several times pointed out by Major Parris, and recognized by Mr. Under-Secretary Cooper and other officers before whom the case came, proved, however, no barrier to her persistence.

After some further delay, she was fortunate enough to find an Under-Secretary, Mr. Henry Clarke, who, with all this before him, expressed his belief in the validity of her claims, and his opinion that she was justly entitled to consideration, and suggested that she should receive 100 acres (say at Oakura).

Major Parris again exposed the weakness of her case in a long and exhaustive letter, and the matter again stood over.

In 1876 she petitioned Parliament, asking for redress, and her case was referred to the Native Affairs Committee of the House of Representatives. That tribunal seems entirely to have ignored the reports of Major Parris, and the utter absence of any proof of her right to more than the small piece at Warea; and it reported "that it was clear she had a grievance; that it ought to be disposed of without delay; and in doing so, regard be had to the number of years her admitted right, however small, had been withheld." Nothing, however, came of this till May, 1878, when Mr. Sheehan, having become Native Minister, ordered the local Commissioner, Major Brown, "to find her 100 acres, which must be good land, and in a good position."

Major Brown remonstrated, and pointed out that she had established no claim, "unless to a small piece at Warea;" and so it stood on again for several months. Finally, 100 acres of land, said to be of excellent quality, were selected for her by Major Brown in the Moumahaki Block, under order from the Native Minister, for which she was immediately offered £500 cash, and refused it. With this she was still dissatisfied, and renewed her claim, as already stated, before the West Coast Commission, in 1880. Before those Commissioners could examine the case, she again petitioned Parliament (September, 1880), and the petition was again referred to the Native Affairs Committee, of which the present Commissioner was a member.

She appeared in person before it, and produced three or four witnesses, whose evidence did not in the least establish her case. The Committee reported "That the Government has offered Mrs. Plumbridge 100 acres of land in accordance with the recommendation of the Committee made on 18th September, 1877, and any further claim, if such there be, is of a tribal character, and must be satisfied by the tribes out of the lands which have been returned to them."