

18. On 24th July, 1878, Mr. Sheehan inquires if anything has been done. On 28th January, 1879, Major Brown replies that six months ago he ordered Mr. Wray to lay off 100 acres: that he has not done it; but will now. On 24th April, Major Brown telegraphs to the Native Office that he has telegraphed to Mr. Wray to know about Louisa's land at Moumahaki. On 4th August, Louisa asks for the Crown grant. This was referred to Major Brown, who minutes that she was entitled to a small piece of land at Warea (*vide* Mr. Rolleston's letter of 1867): that this was set aside by Mr. Sheehan, who directed that 100 acres of good land in Moumahaki Block should be given, for which, after it was selected, she refused £5 an acre in Major Brown's hearing. On 26th November, Mr. Lewis, Under-Secretary, telegraphed to Major Brown to report on the case without delay.

Then ensues some correspondence about an error in the number of the section, as reported by Major Brown, which causes further delay; and, finally, on 29th December, 1879, Mr. Elliott, Under-Secretary for Crown Lands, writes a memorandum ordering the grant to be prepared. Since which, Louisa Taylor, now Mrs. Plumbridge, laid her claim before the West Coast Commission, which was appointed in 1880. In that stage of its business the Commission was not able to investigate it, and during the session of 1880 she again petitioned Parliament. Her petition was referred to the Native Affairs Committee, before which she appeared, producing evidence. On 13th August, 1880, the Committee brought up the following report:—

“Report of the Native Affairs Committee on the petition of Erueti Rangikopinga and three others—*viz.*, Ruiha Rangikopinga, Hara Rangikopinga, and L. M. Plumbridge (Ruiha Teira).”

“Petitioners state that they are loyal Natives, and belong to the Taranaki Tribe; that the lands from Omuturangi to Tataraimaka, and from the sea inland to and including Mount Egmont, is theirs, and they pray for a restoration of the said lands. I am directed to report as follows: That the Government has offered Mrs. Plumbridge (Ruiha Teira) 100 acres of land, in accordance with the recommendation of this Committee made on the 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.—R. TRIMBLE, Chairman.”

West Coast Commission Office, Hawera, 8th April, 1881.

No. 4.

REPORT ON MAJOR BROWN'S CLAIM TO LAND IN THE WAIMATE PLAINS.

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 inclose a report upon a claim made by Major Brown, formerly Civil Commissioner, which he laid before me as Commissioner under “The West Coast Settlement Act, 1880.”

I have 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. 4.

REPORT by the COMMISSIONER, appointed under “The West Coast Settlement (North Island) Act, 1880,” on Major Brown's Claim to Land on Waimate Plains.

MAJOR BROWN claims 1,000 acres of land on the west bank of the Waingongoro River. He bases his claim on two grounds—

1st. Promises by the Natives.

2nd. A confirmation of those promises by Sir D. McLean when Native Minister

1st. Promises made to him by the Natives of the Umutahi hapu, who resided on the Waimate Plains.

The evidence which I have been able to obtain on the subject in quarters indicated by Major Brown is appended. It is conflicting both as to the fact of any promises having ever been made, and also as to the quantity and locality of the land affected by the alleged promises. There are, however, other reasons why the promises, if made, are of no value.

(a.) When first alleged to have been made (1844 or 1845), the Queen's right of pre-emption was in force, and all direct dealings with the Natives for land by Europeans were absolutely prohibited.

(b.) The promises alleged to have been subsequently made by Pumipi in 1879, on his deathbed, were after the date of the confiscation, when he had no power to dispose of the land.

(c.) No valuable consideration appears to have been given by Major Brown, nor have any circumstances been alleged which would give him any equitable claim to special and exceptional favour in the matter, even supposing the promises had been fully proved.

2nd. Major Brown alleges that the above promises, being known to the Hon. Sir Donald McLean, Native Minister, were officially recognized by him; and that when he (Major Brown) was offered the appointment of Civil Commissioner of the district, in 1875, it was made an express condition by him that his claim to 1,000 acres on the Plains “should be given effect to on the peaceful completion of his work—that is to say, the survey of the Waimate Plains,” which, he says, was agreed to by Sir Donald McLean.

A copy of the official letter of his appointment on this occasion is appended. It contains no allusion whatever to any claim to land by Major Brown. The records of the Native Office have been