

BOARD OF NATIVE AFFAIRS.

Departmental functions which are administered under the control of the Board of Native Affairs are fully dealt with in parliamentary paper G.—10. These comprise Native land development and assistance to Maori farmers, promotion of employment amongst Maoris, Native housing, farming activities, and investments of the Native Trustee and the Maori Land Boards. The Board also controls the expenditure and investment of moneys by the East Coast Commissioner and the mortgaging of lands vested in the Commissioner.

RETIREMENTS OF JUDGES.

On the 31st July, 1940, Chief Judge C. E. MacCormick retired after thirty-four years of service. Judge MacCormick was in legal practice in Auckland from 1887 to 1906, when he was appointed to the Native Land Court Bench. From that time onwards he has rendered valuable service in Native affairs not only in New Zealand, but also in the Cook Islands and in Samoa. He succeeded to the Chief Judgeship on the 1st January, 1940, on the retirement of Chief Judge R. N. Jones, O.B.E. At a valedictory gathering tributes were paid to Chief Judge MacCormick by the Hon. the Attorney-General, Maori leaders, and members of the legal profession.

During the year, also, Judge J. W. Browne retired after a record service of almost sixty years. Judge Browne first entered the service in 1881. In 1894 he was promoted to Registrar of the Native Land Court at Wellington, and in 1906 he was appointed a Judge, being successively stationed at Auckland, Gisborne, and, finally, Wanganui until his retirement on the 31st March, 1941. A farewell gathering in honour of Judge Browne was the occasion of valedictory tributes from members of the legal profession and representative Maoris in recognition of his distinguished services.

Judge G. P. Shepherd, who has been elevated to the Chief Judgeship in succession to Chief Judge MacCormick, joined the Public Service in 1906 as a clerk in the Justice Department. He was transferred to the Native Department in 1919, and three years later became Chief Clerk, which position he occupied until 1938, when he was appointed Judge of the Native Land Court for the Ikaroa and South Island Districts. He was admitted as a solicitor in 1926.

LEGISLATION.

Three important matters affecting Natives and Native lands were dealt with in legislation enacted during 1940-41.

Firstly, with regard to the adoption of children by Natives, the Native Land Court had in the past regarded the husband and wife of a Native customary union as having the qualifications required for the purpose of an order of adoption under Part IX of the Native Land Act, 1931, but this view was overruled by the Supreme Court in a case under the Adoption of Children Act. It was desirable to remove all doubt, and legislation was enacted whereby a customary union is deemed, for the purpose of adoption, to be a valid marriage so long as it continues.

The facilitation of the exchange of land between the Crown and the Natives was also dealt with, and power was given to the Native Land Court to make orders of exchange in such cases.

Machinery was provided, also, to enable the Court to amend existing titles so as to include portions of closed roads.

All of these matters involved amendments of the law, the remaining legislation being of the usual "washing up" nature.

ALIENATIONS OF NATIVE LAND.

The number of alienations during the year was 441, affecting an area of 38,589 acres, compared with 508 alienations and 38,766 acres last year. Particulars are as follows:—

	1939-40.		1940-41.	
	Number.	Acres.	Number.	Acres.
Sales	146	3,664	109	6,734
Leases	362	35,102	332	31,855
Totals	508	38,766	441	38,589

NOTE.—A proportion of these alienations was in favour of Native alienees.

The estimated area of Native land remaining to Maoris is 4,008,000 acres.