

4. *Lands as yet undetermined, for Further Consideration and Report.*

Seventh Schedule (B)	Acres.
.. .. .	71,715

Recapitulation.

	Acres.
Lands under lease	172,552
Lands set apart for Maori occupation	58,464
Lands available for settlement	123,854
Lands to be further considered and reported on	71,715
Wi Pere Trust Estate	38,168
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Total area	464,753
Less East Coast Trust lands not in Cook County	92,339
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Balance Native lands of all classes in Cook County 372,414

The large area above shown as available for settlement is mostly included in one or other of the trusts, and, according to the terms of such trusts, will be disposed of in a manner satisfactory to the average settler. Some of the lands are at present inaccessible, and will not come into the market until the interior roads of the district are opened up.

WAIOHIHARORE BLOCK.

Complaint was made to us about this block. It is an area in the Town of Gisborne. The area was taken for railway purposes by due notice being given and gazetted by the Government. Subsequently the Government took possession of part of the area gazetted and paid compensation for that part. In distributing the compensation-moneys which the Native Land Court fixed as payable to the owners, the Government paid the money to a trustee for the Native owners, and he has deducted commission for making such payment to the owners. The Native Land Court has sanctioned such a proceeding—by what authority of law we have been unable to discover. Clearly the full compensation without any such deduction should have been paid to the Native owners, and no doubt the Government will see that this is now done. The balance of the land still remains under the *Gazette* notice. The Government, however, intimated that it did not desire the north-eastern part of the land gazetted to be taken for railway purposes, and an agreement was made between the Native owners and the Gisborne Harbour Board that the Board should pay them £550 and take the part of the land not taken by the Government. There were other conditions in the agreement. The agreement, shortly, states that the part of the land known as the Waiohiharore No. 2 Block, estimated to contain 6 acres-3 perches, being all the land east of the red line drawn on the plan delineated on the agreement, together with all present and future accretions thereto caused by the receding sea or by any other means howsoever, was to be obtained by the Gisborne Harbour Board. The public road known as Lowe Street was to be extended to the high-water mark on the Waikanae beach, and the soil of the road was to be deemed to be vested in the Gisborne Borough Council as a street; that, out of any further accretions to the present accretions agreed to be given to the Native owners of the abutting land, the Gisborne Board was to be entitled to a strip 2 chains in width for the purpose of constructing a public road along the foreshore of the beach. The Gisborne Board purported to convey and assure to the Native owners of the adjoining land all the aforesaid accretions to the said land lying to the west of the red line marked on the plan, with the exception of the part necessary to extend Lowe Street to high-water mark, but all further accretions caused by the receding sea or by the works of the Gisborne Harbour Board up to high-water mark should be deemed to be also the property of the Native owners. This agreement provided that when the deed was validated by Act of Parliament the purchase-money was to be paid, but there does not seem to have been any limitation as to the gift of land to the Natives—namely, the foreshore or accretions. The agreement was not validated by Parliament. Nothing seems to have been done in Parliament regarding it. The Board has, however, obtained a grant from the Crown of the area