

1908.

NEW ZEALAND.

NATIVE LAND AND NATIVE-LAND TENURE :

INTERIM REPORT OF NATIVE LAND COMMISSION, ON NATIVE LAND IN THE COUNTIES OF COOK
WAIAPU, WAIROA, AND OPOTIKI.*Presented to both Houses of the General Assembly by Command of His Excellency.*

Native Land Commission, Whanganui, 18th February, 1908.

MAY IT PLEASE YOUR EXCELLENCY,—

We have the honour to submit for your consideration the following report on Native lands in the County of Cook, and in so much of the adjoining Counties of Waiapu, Wairoa, and Opotiki, as is necessary to take in the lands vested in the Commissioner under "The East Coast Trust Lands Act, 1902," and its amendments.

The area of the county is 1,319,014 acres, approximately, of which 946,600 acres approximately have been acquired by the Crown and by Europeans, the balance being lands owned by the Maoris or held in trust for them. To the latter may be added the area taken from the adjoining counties, as hereafter set forth, and amounting to 92,339 acres. The Native lands may be classified for the purposes of this report as follows:—

- (1.) Lands subject to "The East Coast Trust Lands Act, 1902," held in trust and administered by a Commissioner for the Maori beneficiaries. Area, 186,388 acres. Particulars are given in the First Schedule.
- (2.) Lands subject to decrees of the Validation Court, and which are administered by a Receiver appointed by that Court. The area is 12,325 acres. Second Schedule.
- (3.) Lands subject to "The Mangatu No. 1 Empowering Act, 1893." The area is 79,296 acres. Third Schedule.
- (4.) Lands comprised in what is known as the Wi Pere Trust Estate. The area is 38,168 acres. Fourth Schedule.
- (5.) Lands vested in the Tairāwhiti Maori Land Board. The area is 2,325 acres. Fifth Schedule.
- (6.) Lands leased to Europeans, not included in any of the above schedules, and held under lease approved by the Maori Land Board or confirmed by the Native Land Court. Area, 50,087 acres. Sixth Schedule.
- (7.) Lands held by the Maoris, occupied by them or not disposed of at the date of this report. We make specific recommendations in respect of some of the lands in this class. The area is 95,714 acres. Seventh Schedule.

We may say that our data for the last two schedules have been compiled from returns supplied to us by the Native and the Lands and Survey Departments, and by the District Land Registrars. There are many discrepancies as between the various returns. Many leases confirmed by the Native Land Court have not been registered, and are not shown in the returns. It will probably be found that the area held under lease by Europeans is larger than is shown in the Sixth Schedule.

Dealing with the schedules seriatim, we wish to make a few comments on the East Coast Trust lands.

EAST COAST TRUST LANDS.

The history of this estate prior to the passing of "The East Coast Trust Lands Act, 1902," is that of continuous and costly litigation in the Native Land Court, the Supreme Court, and the Validation Court. When the Act came into operation the lands which became subject to it and passed to the Board constituted thereunder comprised a total area of 244,985 acres. There was a debt due to the Bank of New Zealand of £156,383 7s. 6d., besides a number of other debts amounting to nearly £16,000, and other outstanding claims. We understand that a very large proportion of this huge debt was incurred in litigation and for interest-charges.

For the purposes of this report it is sufficient for us to say that the history of the estate prior to 1902 will be found in the Law Reports and the records of the proceedings of the Validation Court, as well as in parliamentary papers. In 1901 the position became acute. The Bank of New Zealand was compelled to take steps to foreclose, and advertised several blocks for sale. Parliament intervened in 1902, and decreed the postponement of the sale for two years. A Board was constituted, with full powers to sell, lease, or mortgage the lands comprising the estate in order to redeem the existing mortgages to the bank. The harassing litigation of the past was rendered impossible by statute, and the Board was intrusted with the duty of administering the estate, of discharging the debt due to the bank, and of saving as much as possible to the Maori beneficiaries. The record of the Board's administration will be found in its reports to Parliament from 1903 to 1907. In August, 1905, it was able to announce the payment of the debt to the bank, and in August, 1906, the settlement of other outstanding claims. There was then left the important matter of the adjustment of accounts as between the various interests in the estate, the determination of the interests of the Maori beneficiaries in certain reserves, and the opening-up for settlement of the balance of the lands in the estate.

It will be seen from the schedule that the area of land sold was 51,870 acres, and the area now held for the beneficiaries is 186,388 acres, of which 60,768 acres have been leased, 33,786 acres have been set aside for Maori occupation, and 91,834 acres are available for lease or for Maori occupation as may hereafter be determined. It must be borne in mind that the lands are not all in Cook County, nor are the Maori beneficiaries confined to that county; some of them are Maoris living at Opotiki, while the Mahia, Nuhaka, and Wairoa Maoris are largely interested in the Mangapoike and Mahia lands included in the estate.

The lands are now administered by a Commissioner, who takes the place of the Board. He is armed with all powers, assisted to some extent by the Validation Court, necessary to enable him to open the balance of the estate for settlement by way of sale or lease. As to the areas reserved for Maori occupation, he is in a position to assist the Maoris financially, while retaining general powers of management. The bulk of the undisposed-of lands are in the backblocks, and are difficult of access at present.

During our investigations the owners of Mangaokura Block, in the Waiapu County, expressed a desire that the block should be reserved for Maori occupation and leased to one of the beneficiaries; but we are of opinion that the land is not suitable for Maori occupation, and that it should be leased to the general public. Portions of the Maungawaru blocks are owned by Maoris residing in the Waiapu County, who desire their interests to be sold. These are matters for the consideration of the Commissioner. We may say that the lands comprising this estate are excluded from the operation of "The Native Land Settlement Act, 1907."

WHANGARA BLOCK.

The area of this block remaining to the Maoris, as shown in the Second Schedule, is 12,325 acres, or thereabouts, of which all but 679 acres has been leased. Mr. H. C. Jackson administers the block under decree of the Validation Court dated March, 1899, which appointed him sole Receiver, with power to execute leases and other necessary documents whenever so directed by the Validation Court. He receives and disburses the rent, and manages one farm for the Maoris. Accounts are rendered to and audited by the Validation Court. The area leased is 11,646 acres, at

an annual rental of £683 15s. 8d. The rental appears to be low, judged by present-day values. The land was, however, leased when land-values throughout the country were low, and prices for wool and mutton at their lowest. The leases are for twenty-one years without right of renewal; one, for 3,960 acres, expires in 1915, the rest falling in six or seven years later.

From the copy of accounts supplied to us we note that in 1906 the land and income tax paid on the property amounted to £80 16s. 5d., or nearly one-eighth of the revenue. We propose to deal with this question of land-tax in a general report. In this particular instance it is certainly excessive, and as the years go on it must increase, unless Parliament adjusts the matter. We note also that the salary of the Receiver was £46 17s. 6d. in 1906, and that the office expenses came to £27 8s., a total of £64 5s. 6d. cost of administration, or nearly 10 per cent. of the revenue.

The owners of this block complain that they have not received any accounts from the Receiver or the Court.

MANGATU NO. 1 BLOCK.

The approximate area of this block was 100,000 acres, and the owners were constituted a body corporatè by "The Mangatu No. 1 Empowering Act, 1893." By consent 20,000 acres, known as Mangatu No. 1A, was cut off and incorporated in the Wi Pere Trust Estate as security for loans from the Bank of New Zealand. The balance of Mangatu, amounting to 79,296 acres, is now vested in three Trustees—viz., the Commissioner of Crown Lands for Hawke's Bay, the Hon. Wi Pere, M.L.C., and Mr. H. C. Jackson. The schedule shows that 47,726 acres have been leased at a present annual rental of £2,377. The leases were sold by public auction. The term is twenty-one years, with covenant to pay the value of improvements (not exceeding £2 15s. per acre) at the end of such term, or in the alternative to give a right of renewal of lease for a further term of twenty-one years at a rental amounting to the current rate of interest at that time on the value of the land, less the amount of improvements (not exceeding £2 15s. an acre).

The unleased sections amount to 32,020 acres. We are informed that the trustees, in accordance with the instructions of the owners, have just completed the borrowing of £18,000, for paying off existing liabilities and for providing a sum of £8,000 for improving portions of the land. The land is reported to be carrying excellent milling-timber in large quantities. One of the Trustees (Mr. Jackson) informed us that many efforts have been made to lease these lands, but the want of access has prevented any offers being made which might be considered satisfactory. As to accounts, the Maoris complain that no accounts have been rendered to them—that they do not know the present financial position of their estate. We quote the following from Mr. Jackson's memorandum to us: "The accounts of the block, although oftentimes discussed with the owners at public meetings, have not been formally rendered, as the Native owners, numbering approximately 250, have on various occasions requested that nothing final should be done until the relative interests have been determined and a determination arrived at as to the final method of management of the estate and the whole of the liabilities gathered into one debt and money provided for improvements. That period has now arrived, and the Trustees have determined to have their full accounts rendered and audited, so that they may start upon the improvement of the unleased properties altogether afresh."

The position of this estate requires further inquiry, and the accounts should be carefully audited and reviewed before any further complications arise.

WI PERE TRUST ESTATE.

Recent legislation provides for a change of Trustee, and protects the interests of the beneficiaries of that portion of Mangatu No. 1 which was incorporated in the Wi Pere Estate. The conditions on which the present Trustee, Mr. W. G. Foster, may be removed, and a new Trustee appointed, are set forth in section 47 of "The Maori Land Claims Adjustment and Laws Amendment Act, 1907." It seems to us that very great care must be exercised in the appointment of a new Trustee.

THE TAIRAWHITI MAORI LAND BOARD.

The area within Cook County shown in the schedule as vested in this Board is 2,325 acres, and the whole is leased.

Speaking generally of the Board, the area of land vested in it is as follows :—

						Acres.
Cook County	..	..	..	..	..	2,325
Waiapu County	..	..	..	..	..	20,963
Wairoa County	..	..	..	..	..	26,033
Whakatane County	..	..	..	..	..	3,900
						<hr/>
Total	..	..	..	..	..	53,221

With the exception of Maungawaru No. 4, the Board has had the lands vested in it surveyed and valued and prepared for settlement, and it is hoped that the lands will be on the market before the bushfelling season is much advanced. The Board will set apart portions for leasing to Maoris only.

In addition, the Board has been appointed receiver of revenue in blocks recently leased with its approval, amounting to 34,172 acres, the bulk of which is in the Waiapu County.

The Board has approved of leases of lands as follows :—

						Acres.
Cook County	..	..	..	..	..	29,434
Waiapu County	..	..	..	..	..	35,375
Wairoa County	..	..	..	..	..	8,564
						<hr/>
Total	..	..	..	..	..	73,373

There are pending applications for approval to leases of an area of 3,204 acres. The term of most of the leases is twenty-one years, and some twenty-one years with right of renewal for a further term of twenty-one years. The Board appears to have exercised great care in seeing that the leases are in compliance with the law.

We note that in leasing to Europeans it is usual in this district to incorporate the owners of the lands proposed to be leased. After incorporation the elected committee takes the necessary steps for leasing, and would-be lessees find that instead of dealing with numerous and scattered owners they can conduct business with a compact committee of from three to seven, who can give them a valid title. If in addition to the present law relating to incorporated blocks the committees were required to sell the leases by auction, this system of alienation would be an excellent one. It is expeditious; it is growing in popularity with the Maoris; it secures to negotiators a guarantee of title and the minimum of expense in conducting negotiations. We reserve for a general report further remarks on this mode of alienation.

LANDS UNDER LEASE.

The return in the Sixth Schedule (A) of lands under leases approved by the Board is complete up to the date of this report. As to other leases in the Sixth Schedule (B), the information is not complete. We are making further inquiries with a view to completing this return as far as possible, and will render a statement in a supplementary report.

We note that Mangatu No. 3 Block, of 3,680 acres, and Mangatu No. 4, of 6,000 acres, are vested in the same Trustees that administer Mangatu No. 1. Mangatu No. 3 was leased by auction in 1901 on the same terms as the subdivisions of Mangatu No. 1 already referred to.

The present annual rental is £81 15s. 8d., increasing to £122 13s. 4d. during the next seven years, and to £163 11s. 1d. for the last seven years of the current term. Mangatu No. 4 has not been leased, but there is a proposal to borrow £5,000 for the purpose of improving and working it as a farm for the owners.

One of the Trustees (Mr. Jackson) has supplied to us a statement of assets and liabilities of these two blocks to the 31st March, 1907. The assets consist of the annual rent, £81 15s. 8d. The liabilities amount to £2,144 6s. 6d., as follows:—

	£	s.	d.
Salary of Trustees for seven years	240	0	0
Rent of office for seven years	47	2	6
Mortgage and interest due	1,849	16	0
Incidental	7	8	0
	<hr/>		
	£2,144	6	6

These do not include Mr. W. L. Rees's costs, not yet taxed.

Mr. Jackson in his memorandum to us says that the larger block, Mangatu No. 4, is not leased, although many attempts have been made since the auction sale to lease it; that there is milling-timber on the block; that the Maori owners have an idea of working the land themselves, and have agreed to the borrowing of the sum of £5,000 aforementioned. There is no doubt that more than one-half of this sum will be required to discharge the existing debt, and the balance will be available to commence farming operations. The annual interest-charge will be at least £250. The salary of Trustees, office expenses, and other costs of administration will be at least £100 per year. It seems to us that the estate will soon be involved in great difficulties. The Trustees, one of whom is the Commissioner of Crown Lands for Hawke's Bay, should see to it that they are not led to adopt the system of financing which wrecked the New Zealand Native Land Settlement Company.

ADMINISTRATION OF TRUST LANDS.

Before proceeding to deal with the lands in the last schedule, which remain in the hands of the Maoris, we wish to make a few comments on the present position of the administration of trust lands in Poverty Bay. We do not include in that category the Wi Pere Trust Estate, but only the following:—

(1.) East Coast Trust lands, administered by a Commissioner	Acres.	186,388
(2.) Lands administered by Trustees appointed under "The Native Land Laws Amendment Act, 1897" —which includes lands incorporated by "The Mangatu No. 1 Empowering Act, 1893," viz.—		
	Acres.	
Mangatu No. 1	79,296	
" No. 3	3,680	
" No. 4	6,000	
	<hr/>	88,976
(3.) Lands administered by Receiver appointed by Validation Court		12,325
(4.) Lands administered by the Tairāwhiti Maori Land Board:—	Acres.	
(a.) Vested in Board	53,221	
(b.) For which Board is receiver ..	34,172	
	<hr/>	87,393
		<hr/>
		375,082

We estimate the value of these various estates at not less than £500,000. There are four separate systems of administration, with three separate staffs and sets of offices. These diverse administrations have arisen not because it was felt that they were necessary, but they have been called into existence through the peculiar circumstances of Native-land titles in the district.

The time has arrived, in our opinion, when these lands should be administered by one body. There would be a great saving in the cost of administration. It should not be difficult to combine the various estates under one Board. The functions of the East Coast Trust Lands Commissioner in respect of lands reserved for Maori occupation can be performed by the Maori Land Board, and the administration of such lands

adapted to conform to Part II of "The Native Land Settlement Act, 1907." As to the undisposed-of balance of the trust lands, the terms of the leases are similar, while the power of sale vested in the Commissioner can be exercised by the Maori Land Board. The Mangatu lands and the Whangara Block should also be administered by the Maori Land Board. In the case of the former the terms of leasing are similar to those provided for leases by the Maori Land Board; in the case of the latter the only administrative duty to be performed is that of collecting and disbursing rents; but in order that the Maori Land Board may properly administer the combined estates it is necessary that it should have a competent accountant and receiver.

BALANCE OF NATIVE LANDS.

We have compiled a schedule showing the lands still in the possession of the Maoris, outside the trusts, and, so far as we have been able to ascertain, not under lease.

Farming by Maoris is not carried on on the same scale and with the same heart as in the Waiapu County. It is not that the Maoris lack the capacity or desire to farm their lands, but they have been depressed by constant litigation, extending over twenty years, which resulted in their losing the control of nearly 400,000 acres of land. They seem to be dispirited and lacking in initiative. At Tolaga Bay, in the Puninga, Maraetaha, Mangatu, and Waimata districts, may be seen the small beginnings of a pastoral industry, which should be fostered even at this late day. There is urgent need of the services of a competent instructor in agriculture, and we hope that the recommendation we made in that respect in our report of the 11th July, 1907 (parliamentary paper G.-1c) will not be lost sight of.

We do not hesitate to recommend that a large proportion of the lands now remaining in the hands of the Maoris of this district should be reserved for their use and occupation under Part II of "The Native Land Settlement Act, 1907." In some cases we are able to recommend leases to Maori lessees specified by the owners.

We are not able to make any recommendations at present in respect of some of the lands in the last schedule. We await further information regarding them. We propose to revisit Poverty Bay some time in June to make further inquiries into the position of the trust and other lands.

SUMMARY.

The information contained in the schedules may be conveniently summarised as follows:—

1. <i>Lands under Lease.</i>				Acres.
East Coast Trust lands	..	..	..	60,768
Whangara Block	..	..	..	11,646
Mangatu No. 1	..	..	..	47,726
Lands vested in the Maori Land Board	..	..	..	2,325
Approved by the Maori Land Board	..	..	..	29,434
Other leases (exclusive of the Wi Pere Trust Estate)	..	..	..	20,653
Total area	..	..	..	172,552
2. <i>Lands set apart for Maori Occupation.</i>				Acres.
East Coast Trust lands	..	..	..	33,786
Whangara Block	..	..	..	679
By the Commission—Seventh Schedule (A)	..	..	..	23,999
Total area	..	..	..	58,464
3. <i>Lands available for Settlement.</i>				Acres.
East Coast Trust lands (for lease or Maori occupation as may hereafter be determined)	..	..	..	91,834
Mangatu No. 1	..	..	..	32,020
Total area	..	..	..	123,854

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
Total area	464,753
Less East Coast Trust lands not in Cook County	92,339

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 Waiohiorore 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 Waikanāe 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

between the Native land and the sea. By what authority such a grant was made we are not aware. There is no statutory authority for such a grant. The only power for the Governor to issue a grant to a Harbour Board without a special Act is under the Harbours Act of 1878, which enacts that land reclaimed from the sea by a Harbour Board may be so granted. It does not appear to us that this land was reclaimed by the Harbour Board, and the agreement made with the Natives calls it an accretion. If the accretion was gradual, it would belong to the Native owners; if sudden, it would belong to the Crown; but in no case can it be said, if it were an accretion, to be the property of the Harbour Board. We have asked the Board what their view is of the position, and they have replied to us that they consider the agreement at an end. If the agreement is at an end, then it is clear that the Natives ought to have the land for which they have received no compensation handed back to them, and steps should be taken by the Government to set aside the Crown grant to the Board, in order that the Natives' right to the accretions should be determined unencumbered with the grant from the Crown. It is most unfair that the Board should block the Natives' access to their land from the sea, and obtain a grant without notice to them and without an opportunity to them of contending that this land belongs to them from a gradual accretion.

We feel sure that it is only necessary for us to point out these facts to Your Excellency to insure the Crown and Parliament doing justice to the Native owners. Either the agreement should be validated by Parliament and carried out by the Harbour Board, or the Natives should be restored to their original position.

We place in the Appendix the agreement and plan referred to.

We have, &c.,

ROBERT STOUT,
A. T. NGATA,
Commissioners.

SCHEDULES.

FIRST SCHEDULE.

EAST COAST NATIVE TRUST LANDS.

A. Bank-security Blocks sold by the Board.

Block.	Area.		Price.
	Acres.		£
Maraetaha No. 2, Section 4 (Te Puru)	3,991		15,967
Matawhero B or 5 (part)	33		361
" No. 1 (part)	182		2,237
Motu No. 1	2,000		2,100
Moutere No. 2, Section 1	194		438
Okahuatiu No. 2	15,190		26,250
Pakowhai (part)	4,638		27,253
Paremata (part)	4,614		24,784
Tawapata North No. 1A	2,096		3,144
" No. 2	1,955		3,177
Whataupoko D, Section 67	2		60
Total area	34,899		
Sold for			105,772

FIRST SCHEDULE—continued.

B. Lands outside the Bank Securities sold by the Board.

Block.	Area.	Price.
	Acres.	£
Maraetaha No. 2A, Sections 2 and 3	5,082	4,066
" No. 2, Section 3 (part)	950	1,900
" No. 2, Section 6 (part)	1,349	2,698
Tahora No. 2 (part)	9,590	10,009
Total area	16,971	
Sold for ... ..	...	18,673

C. Lands under Lease as at 30th November, 1907.

Block.	Area.	Value.	Rental.	Term.
	Acres.	£	£	
Mangaheia 2D	5,965	35,400	1,760	21 years, with right of renewal for further 21 years (from 1905).
Mangapoike A	16,460	14,400	723	Ditto (from 1904).
" 2A 3 (part)	4,378	6,500	219	" (from 1905).
" B	400	300	15	" "
" 2D (part)	4,000	3,000	150	" "
" 2E	2,980	2,300	118	" "
Paremata, Sections 48 and 64	2,392	7,720	386	" (from 1904-5).
Tahora No. 2 (part)	17,636	19,500	548	" (from 1905).
Tawapata South No. 1	4,376	12,000	600	21 years; no right of renewal (1905).
Whangawehi 1A	980	2,500	60	15 years from 1897; no right of renewal.
" 1B, 1C	2,201	3,000	60	21 years from 1897; no right of renewal.
Total area	60,768			
Valued at ... ..	...	106,620		
Total present annual rental ... ..	...	...	4,639	

NOTE.—Under one of the Mangapoike leases and most of those in Tahora the rentals increase every seven years during the first twenty-one years.

The Whangawehi leases were granted before the Board was set up, and are in pursuance of arrangements come to in the Validation Court between the Natives and the present lessee.

When granting the Tawapata lease the Board declined to give a right of renewal, in order that when the lease expires in 1926 the Natives may have the opportunity of working the block themselves. Before that time arrives, the block, which is at present encumbered, should be free from debt.

With the foregoing exceptions, the Board's leases are for twenty-one years, with the right of renewal for a further term of twenty-one years, but no longer.

Improvements.—The Board's usual form of lease provides that the lessee shall put on the demised lands improvements of a permanent character as under: Within the first year of the term, to a value equal to the first two years' rent; within the following year, to the value of another two years' rent; and thereafter, but within the first six years of the term, to a value which, including the value of the improvements effected during the first two years of the term, shall not be less than an amount equal to 10s. per acre for every acre of the demised lands; and on such of the land as is bush land the lessee shall put substantial improvements to the value of 5s. per acre—say, 15s. per acre in all. Outgoing lessees are entitled to compensation for improvements at the end of the first term of twenty-one years. For bush lands such compensation is usually limited to £2 15s. per acre. After entering upon the second term of twenty-one years lessees are not entitled to any compensation for improvements.

In the leases of Whangawehi 1A there are no improvement clauses. The leases of Whangawehi 1B and 1C contain no compulsory improvement clauses, but provide that in the event of the lessee not taking a renewal of the lease he shall be entitled to compensation for improvements on a valuation by arbitration in the usual manner. The Tawapata lease limits the amount of compensation payable to the lessee to £1 5s. per acre. The compensation payable to the lessees in Mangaheia No. 2D is limited to £1 15s. per acre for hill country, and to £4 per acre for flat lands, as on these considerable sums can be expended to advantage on draining.

FIRST SCHEDULE—continued.

D. Lands set aside for the Use and Occupation of Natives.

Block.	Area.	Value.	Remarks.
	Acres.	£	
Mangapoike 2B... ..	3,024	4,500	Bush land. Occupied and partly improved.
" 2D (part)	1,419	1,000	Bush land. Occupied; unimproved.
Maraetaha No. 2, Section 6 (part)	2,608	6,500	Bush land. Occupied; partly improved.
Pakowhai, Section 4	374	1,600	Ditto.
Paremata No. 1, Sections 73, 73A... ..	115	80	Native village.
" No. 2	89	2,700	"
" No. 3	1,224	9,800	Occupied as sheep-farm; partly improved.
Tahora No. 2 (part)	24,453	32,000	Bush land. Small portions occupied; nearly all unimproved.
Tangotete No. 1	5	75)	Native villages.
" No. 2	75	1,125)	
Te Kuri	400	6,000)	
Total area	33,786		
Valued at ... ..	...	65,380	

E. Lands available for Lease or for Maori Occupation, as may hereafter be determined.

Block.	Area.	Value.	Remarks.
	Acres.	£	
Mangatu Nos. 5 and 6	40,150	30,000	Bush land, unimproved.
Mangapoike 2A No. 3	5,060	5,000	" "
Mangaokura	2,027	2,000	" "
Maraetaha No. 2, Section 3 (part)	2,050	4,000	" "
Maungawaru No. 2	14,802	5,500	" "
" No. 3	18,720	7,000	" "
Tahora No. 2	9,015	13,500	" "
Whataupoko, part G	10	500	Suburban land, unimproved.
Total area	91,834		
Valued at ... ..	...	67,500	

Summary of Schedules of Blocks.

	Sold.	Now held.	Proceeds Sales.	Value Lands held.	Rental.
	Acres.	Acres.	£	£	£
A. Bank-security blocks sold	34,899	...	105,772	...	...
B. Lands outside bank-security blocks sold	16,971	...	18,673	...	...
C. Lands leased ... ..	...	60,768	...	106,620	4,639
D. Lands set aside for Native occupation	...	33,786	...	65,380	...
E. Lands available for lease or Native occupation	...	91,834	...	67,500	...
Area sold	51,870				
Area held ... ..	...	186,388			
Proceeds sales ... ..	...	...	124,445		
Value lands held ... ..	...	...	...	239,500	
Present annual rental of lands leased	...	...	...	...	4,639

SECOND SCHEDULE.

LANDS ADMINISTERED BY H. C. JACKSON, ESQ., RECEIVER APPOINTED BY THE VALIDATION COURT.

Block.	Owners.	Area leased.			Area reserved for Maori Occupation.		
		A.	R.	P.	A.	R.	P.
Whangara B1 ...	143	2,433	0	0	...	...	...
" B2B ...	99	1,440	0	0	...	...	...
" D ...	90	...	...	...	65	0	0
" E ...	26	...	...	...	170	0	0
" F ...	24	985	2	28	...	...	...
" G ...	17	1,145	3	2	...	...	...
" H1 ...	23	41	0	0	...	...	...
" H2 ...	9	741	0	36	...	...	...
" H3 ...	10	120	1	12	...	...	...
" H4 ...	24	550	0	0	...	...	...
" H5 ...	42	25	0	0	...	...	...
" H6 ...	33	13	0	0	...	...	...
" K2A ...	7	...	...	...	444	0	0
" K3A ...	1	198	0	2	...	...	...
" K3B ...	28	703	3	32	...	...	...
" L ...	12	664	1	14	...	...	...
" M ...	18	956	1	32	...	...	...
" N1 ...	14	511	3	2	...	...	...
" N2 ...	51	1,116	3	2	...	...	...
		11,646	1	2	679	0	0
		679	0	0			
Total ...	...	12,325	1	2			

NOTE.—The leases are for a term of twenty-one years, commencing as to 3,960 acres from 1894, and as to the balance from 1898, 1899, 1900, and 1901. The annual rental is £683 15s. 8d. We gather from the accounts for 1906 that the office expenses, rates, taxes, and receiver's salary for the year, deducted from rent, were about £133.

THIRD SCHEDULE

MANGATU No. 1 BLOCK

A. Particulars of Rents, Leases, &c.

Lessee.	Date of Lease.	Section.	Area.			Annual Rental.		
			A.	R.	P.	£	s.	d.
Cooper, William ...	24/1/00	Allotments 1 and 2 ...	4,232	0	38	220	7	6
" " ...	26/7/01	Subsections 4, 5, and 9	3,224	1	0	40	6	0
" " ...	1/3/02	" 4 and 5 ...	132	1	18	4	8	4
Martyn, W. B. ...	26/1/01	Section 14 ...	2,591	0	0	64	15	6
Tulloch Bros. ...	...	Subsections 11 and 12	2,784	0	0	253	3	0
" " ...	18/10/01	" 15 ...	1,235	0	0	61	15	0
Williams, F. W. ...	1/10/02	" 4 ...	3,500	0	0	300	0	0
Hegarty Bros. ...	26/1/01	" 13 ...	3,900	0	0	217	9	6
Guthrie-Smith, Mrs. G. U.	6/3/03	" 16 ...	4,234	0	0	141	2	8
Tiffen, H. E. ...	26/1/01	" 3 and part 2	696	0	0	20	14	0
Williams, F. W. ...	...	Part Subsection 2 ...	823	0	0	20	11	6
Buchanan, H. D. ...	1/6/03	" 10 ...	8,740	0	0	509	17	3
" " ...	1/6/04	" 10 ...	82	3	0	4	17	6
" " ...	27/3/01	" 10 ...	1,105	3	0	64	10	6
Patullo, F. ...	1/3/04	" 17 and 18	3,147	0	0	104	18	0
Barton and Omerod ...	24/2/00	" 3 and 6	3,029	2	0	135	14	10
" " ...	...	Part 6 ...	1,479	0	0	66	5	4
Te Eke Rutene ...	6/5/07	" 19 ...	2,340	0	0	146	5	0
Total ...	...	...	47,276	1	16	2,377	1	5

THIRD SCHEDULE—continued

B. Sections not disposed of.

						Ares.
Mangatu No. 1, Section 18	...	...	...	...	...	3,400
" " 20	...	...	...	...	...	2,820
" " 21	...	...	...	...	...	3,660
" " 22	...	...	...	...	...	2,850
" " 23	...	...	...	...	...	3,800
" " 27	...	...	...	...	...	2,050
" " 28	...	...	...	...	...	2,460
" " 29	...	...	...	...	...	3,510
" " 30	...	...	...	...	...	4,120
" " 31	...	...	...	...	...	3,350
Total	...	...	...	...	...	32,020

FOURTH SCHEDULE.

WI PERE TRUST ESTATE.

Block.	Area.		
	A.	R.	P.
Kaiti, Section 301	19	1	34
" " 302	23	1	30
Whataupoko A, Section 130, No. 1	0	3	18
" " 130, No. 2*	0	1	0
" " 125/7	0	1	30
Makauri 35, 25/25A	52	1	9
" 4, 41/3	49	1	7
" 5, 45	25	0	0
Waimata 83, Block I, 51†	11	1	14
Manukawhitikitiki 2H	458	2	0
" 1B 2 (part)	223	0	0
Puhatikotiko 6B	1,955	0	0
Tangihanga No. 1A	4,471	0	28
Pukepapa A	1,262	3	19
" F2	229	3	33
Okahuatuu 1D 2B 1	764	3	2
Repongaere 4A, 4B, 4F (part)	165	2	36
Karaka 14, 15, and 17	84	0	0
Poututu A2, A3, A4, B2, B6, C3	8,371	1	2
Mangatu No. 1	20,000	0	0
	38,168	2	22

* With house.

† Orchard.

FIFTH SCHEDULE.

LANDS VESTED IN THE TAIRAWHITI MAORI LAND BOARD (BY TRANSFER UNDER "THE MAORI LANDS ADMINISTRATION ACT, 1900").

Block.	Owners.	Area.			Remarks.
		A.	R.	P.	
Hangaroa-Matawai B3	5	504	0	0	Leased for 21 years.
Hauomatuku 2A	12	60	0	0	" 5 " (for timber).
" 2B	18	143	2	23	" 5 " "
" 8A	13	47	2	0	" 5 " "
" 9B	6	27	1	29	" 5 " "
" 9C	...	43	0	27	" 5 " "
Kumukumu	25	55	0	0	" 5 " "
Rangatira 3A No. 1	7	83	0	0	" 5 " "
Tapuihikitia C (part)	44	158	0	0	" 5 " "
Kaiaua No. 2A	14	285	0	29	" 21 years.
" 2B	17	224	0	28	" 21 " "
" 2C	16	191	1	23	" 21 " "
Waimata East No. 2	78	205	0	32	" 21 " "
" South No. 2	58	298	0	0	" 21 " "
Total	...	2,325	2	31	

These are the only blocks in the Cook County vested in the Board; but there are other blocks for which the Board has been appointed receiver.

SIXTH SCHEDULE.

A. LANDS LEASED WITH THE APPROVAL OF THE BOARD.

Block.	Owners.	Area.			Block.	Owners.	Area.		
		A.	R.	P.			A.	R.	P.
Ahirau No. 1A ...	17	355	0	0	Papakorokoro 9B ...	6	93	0	0
" 1C ...	1	57	3	24	" 10 ...	4	256	0	0
" 1D ...	23	631	0	18	" 2A ...	5	201	2	16
" 2D 1 ...	2	46	1	32	Puhatikotiko 5B 2B 2 ...	1	100	0	0
" 2D 2 ...	7	158	0	0	" 5B 2B 1, 3, 4, and 5 ...	18	186	0	0
" 2E ...	16	162	2	15	" 7B 2B ...	1	89	3	30
" 2F ...	...	85	3	11	" 7B 2C ...	9	63	0	0
Awapuni A No. 2, Section 5	3	23	1	33	" 7B 2D ...	37	457	0	0
Hotuapaka ...	2	17	3	0	" 8C ...	7	7	1	31
Hauomatuku 5C 3B ...	7	47	0	0	" 8D ...	5	9	2	33
Kaiti, Sections 45 and 46 ...	...	0	2	10	Poututu A4 B2... ..	16	548	2	22
" " 60 ...	...	0	1	0	" B 6B ...	2	336	2	7
" " 313A ...	...	5	0	0	Repongaere 4c ...	1	324	2	11
" " 313 No. 2D 1 ...	...	8	2	30	" 4E ...	1	46	0	0
Kirikiroa 2B ...	...	125	1	5	" 4H No. 1 ...	1	373	0	0
Kopuatarakihi 1A ...	7	472	0	0	" 4H No. 2 (part) ...	...	247	0	0
" 1B ...	17	518	0	0	" 4H No. 2B ...	9	99	3	0
Mangarara H ...	...	0	3	9	" 4H No. 3 ...	1	324	2	11
Mangatokerau 1A 2 ...	12	277	3	5	Rangaaiohinehau 1B ...	4	40	2	19
" 1C* ...	7	72	1	4	Rangatira 3A 3B ...	8	501	0	0
Mangaaoe 1P 1... ..	...	156	0	0	" 3C ...	20	22	0	0
" 1P 2... ..	...	87	2	23	Rauohinetu 1A 2 ...	3	61	0	0
" 1P 3... ..	5	68	0	26	" 2 ...	31	122	0	0
" 1R ...	6	75	0	0	Tiraotane 3B ...	11	27	1	20
" 2B ...	1	129	1	0	Tarewauru A2 F1 ...	5	105	0	0
" 2C ...	5	144	3	0	" A2 F2 ...	9	75	0	0
" 2D 2... ..	3	36	0	0	Tauwharetoi 2B ...	54	2,422	0	0
" 2D 3... ..	9	494	3	30	" 3B 1 ...	4	1,352	0	0
Mangaopike 2A No. 1 ...	...	149	0	0	" 3B 2 ...	8	1,352	0	0
Motu 2B 1 and 2B 2 ...	11	205	0	0	" 4B ...	91	676	0	0
Mangaheia 1B 2B ...	12	43	0	0	Te Kuri 1A (part) ...	...	7	0	0
" 1B 3 ...	38	229	1	24	Toiotekainga ...	5	12	3	18
Manukawhitikitiki D 2 ...	4	432	1	38	Tahoka 2, 4, and 5 ...	...	25	0	29
Okahuatuu 1D 2B 4A ...	3	76	1	38	Tahoka, part 5, and ...	...	58	2	7
" 1D 2B 4B ...	1	76	1	38	Taruheru F, G, H, and L ...	...	...	...	...
" 1D 2B 4C ...	3	764	3	20	Takararoa 2 ...	8	208	0	0
" 2B ...	6	100	0	0	Wharekopae 1B 3 No. 1 ...	5	456	0	0
" 2D 2B 1 ...	1	1,290	0	0	" 2B 2 ...	5	803	0	0
Oweta 1 ...	4	38	0	0	Wharaurangi 2 ...	1	50	0	0
" 2A ...	3	12	0	0	" 4C* ...	1	15	3	15
Oariki No. 1 ...	1	36	1	8	Whatatutu B 1A ...	1	0	1	0
" 1A ...	2	4	0	0	Waituhi 2c ...	7	19	0	0
" 1B ...	10	53	0	0	" 2D ...	4	83	0	0
Puninga No. 1 ...	5	548	0	0	Waipapa, Section 26 (part) ...	...	0	3	0
" 6 ...	9	1,187	0	0	Waimata North 1B ...	31	200	0	0
" 7 ...	18	868	0	0	" East 2 ...	78	205	0	0
" 12 ...	17	608	0	0	" West 1A ...	36	513	0	0
Paremata 1c ...	5	324	3	15	Waihora A ...	5	152	0	0
" 1B ...	6	200	0	0	" E ...	32	652	2	35
Puketapu G ...	7	18	1	12	" 1D ...	5	32	1	0
Panikau 4A 1 and 5A 1 ...	32	275	3	21	" 1G ...	14	107	2	0
Papakorokoro 3 ...	8	376	0	0	" 1H ...	19	209	1	30
" 4 ...	12	562	0	0	Whatatuna 3B ...	1	12	1	0
" 5 ...	6	467	0	0	" 3C ...	12	10	1	12
" 6 ...	7	308	0	0	Wairoro 1 ...	2	3	2	0
" 8 ...	13	420	0	0	Whareongaonga C 11A ...	3	117	0	0
" 9A ...	2	18	3	16	Wharekaka 1D 2 ...	10	105	2	0
" 9B ...	5	100	0	0	Whakaongaonga 2G ...	34	627	1	23
" 9C ...	4	138	0	0					
" 9D ...	2	141	2	24	Total ...	...	29,433	3	38

* Leased to Maoris.

SIXTH SCHEDULE—*continued.*

B. OTHER LANDS LEASED TO EUROPEANS.

Block.	Owners.	Area.			Remarks.
		A.	R.	P.	
Ahirau 2A ...	1	23	0	26	
Arakihi 1 ...	6	728	0	0	
" 2 ...	6	400	0	0	
Karaka 7 ...	1	29	0	0	
Kourateuhi 1B ...	...	42	0	0	
" 1C ...	...	54	0	0	
" 1D ...	...	39	0	27	
" 1E ...	...	336	0	38	
Mangatuna 1D ...	27	100	0	0	
" 1F 1 ...	1	4	0	0	
" A ...	9	269	0	0	
" B ...	4	118	0	0	
" E ...	2	42	0	0	
Mangaheia 1B 2E ...	5	42	0	26	
" 2C ...	3	303	3	35	
" 2E ...	1	48	0	0	
" 2G ...	...	57	1	0	
" 2L ...	14	259	3	29	
" 2M ...	2	542	1	0	
" 2P ...	1	57	1	6	
Mangaoae 1E 2... ..	...	104	3	0	
" 1F 2... ..	...	29	0	0	
" 2A 1... ..	1	135	0	0	
" 2A 2... ..	1	70	0	0	
" 2A 3... ..	3	151	0	0	Undivided interests, area not ascertained, are leased.
" 2A 4... ..	3	385	0	0	
" 2A 5... ..	1	70	0	0	
" 2A 6... ..	16	644	0	0	
Manukawhitikitiki 1B 2 ...	6	289	0	0	
" 2B ...	1	57	0	0	
" 2C ...	2	315	1	0	
" 2D ...	3	343	3	32	
" 2E ...	4	458	2	0	
" 2F 1 ...	10	361	0	17	
" 2F 2 ...	2	25	3	7	
" 2F 3 ...	7	361	0	16	
" 2G ...	3	343	3	22	
" A2 ...	1	99	3	18	
" A3B ...	1	131	1	17	
" C ...	2	101	0	33	
Mangaorongo ...	...	934	2	0	
Mangatu 3 ...	67	3,680	0	0	Incorporated. Vested in trustees under "The Native Land Laws Amendment Act, 1897."
Okahuatiu 2B ...	6	100	0	0	
Paremata 1A ...	1	36	3	5	
" 1F ...	3	233	1	0	
Puatai 1 ...	35	2,616	1	0	Greater part leased. Area not ascertained.
" 2 ...	23				
" 3 ...	26				
" 4 ...	47				
Part Pouawa (Lot 9, Plan 724)	...	20	0	0	
Part Pouawa (Lot 2, Plan 723)	...	236	0	0	
Puhatikotiko 2A 1 ...	14	63	0	0	
" 2A 2 ...	9	27	0	0	
" 2A 3 ...	3	9	0	0	
" 2A 4 ...	6	45	0	0	
" 2B 1 ...	4	42	0	0	
" 3B 2 ...	16	146	3	16	
" 6A ...	1	281	0	20	
" 8A ...	10	10	3	5	
" 8B ...	8	6	1	27	
" 8E ...	2	4	0	32	
" 8F ...	4	0	3	30	
" 8G ...	6	10	2	28	
" 8H ...	1	0	3	15	
Pukepapa E ...	1	1,028	0	0	

SIXTH SCHEDULE—*continued.*B. OTHER LANDS LEASED TO EUROPEANS—*continued.*

Block.	Ownerr.	Area.			Remarks.
		A.	R.	P.	
Puketapu C5 ...	1	4	2	13	
Rakaiketeroa A1 ...	3	13	2	39	
" A2 ...	2	27	3	20	
" A3 ...	1	13	2	20	
" H1 ...	1	20	1	16	
" H2 ...	2				
" H3 ...	2				
Rangatira 3A 3A ...	9					48	0	0
" 3D ...	20	5	0	0	
" 3F ...	3	90	0	0	
" 3G ...	5	202	0	0	
" 3E 3... ...	7	260	0	0	
Ruangarehu 1 ...	1	135	3	25	
Tangutuhanui 1A 1 ...	1	3	2	26	
" 1A 2 ...	1	3	2	26	
" 1A 3 ...	4	3	2	26	
" 1A 4 ...	1	3	2	26	
" 1B ...	10	29	1	9	
" 2 ...	...	137	3	32
Tangihanga 1B ...	29	50	0	0	
" 1D ...	1	10	0	0	
Tiraotane 3B 1 ...	5	40	2	20	
" 3B 2 ...	12	28	3	23	
Waihora C ...	6	182	2	8	
" 1E ...	5	50	0	32	
Whenuakura E1 ...	6	52	0	26	
" E2 ...	1	34	3	4	
Waiomoko 1A ...	1	132	1	39	
" 1B 1 ...	9	33	1	22	
" 1B 2 ...	1	165	2	25	
" 1C ...	5	463	1	36	
" 2 ...	6	901	0	8	
Total ...	...	20,653	0	8

SEVENTH SCHEDULE.

A. LANDS RECOMMENDED TO BE RESERVED FOR MAORI OCCUPATION UNDER SECTION 54 OF "THE NATIVE LAND SETTLEMENT ACT, 1907."

Block.	Owners.	Area.			Remarks.
		A.	R.	P.	
Whangara D ...	90	65	0	0	Being improved.
" E ...	26	170	0	0	
" K 2A ...	7	440	0	0	
Pouawa 3C ...	...	13	1	0	Now occupied by Natives.
" 3D 1 ...	...	51	1	0	
" 3D 2 ...	74	15	0	0	
" 3D 3 ...	...	92	3	32	
Kopuatarakihi 1A ...	7	472	0	0	Incorporated and leased to Te Rawhiti Paerata. Not to be transferred to European.
" 1C ...	11	432	0	0	Incorporated for family farm.
" 1D ...	22	982	2	0	Interest of Kaipaka Kingi to be cut out. 624 acres at east end to be leased to the Waru family; balance to Ani Kirimana.
" 2A ...	21	373	0	0	Incorporated. Leased to Charles Ferris, jun. (h.-c.). Not to be transferred to European.
" 2B ...	17	189	0	0	See section 33 of "The Maori Land Claims Adjustment and Laws Amendment Act, 1907." If orders amended, and present owners 2B exchanged to 2c, then Ani Kiri- mana to have lease of 2c.
" 2C ...	31	236	1	0	
Kaiawa 1 ...	18	450	0	0	Leased to Te Rawhiti Paerata and another. Not to be transferred to European.
" 2D ...	21	253	0	0	To be leased to Hori Kirimana.
" 2E ...	4	1	0	0	A cemetery-site.

SEVENTH SCHEDULE—*continued.*A. LANDS RECOMMENDED TO BE RESERVED FOR MAORI OCCUPATION, ETC.—*continued.*

Block.	Owners.	Area.			Remarks.
		A.	R.	P.	
Kourateuhi 2A	...	1	9	0 0	A papakainga.
" 2D 2	...	11	76	0 0	To be leased to Maoris.
" 2E 1A	...	4	42	1 11	
" 2E 1B	...	1	3	0 0	
" 2E 1C	...	1	12	3 28	
" 2E 1D	60	0 0	
" 2G 2	...	10	64	1 20	To be leased to Nikora Tautau and Wi Rakaitapu, subject to a subsisting agreement in respect of fencing-line with W. F. Hale.
" 2G 3	...	6	61	1 11	
" 2G 4	...	18	115	0 14	
Mangatuna 1A	21	18	0 0	
" 1C	21	112	0 0	Interests leased to W. F. Hale to be defined. The balance to be reserved.
" 1E	20	44	0 0	
" 1H	37	139	0 0	
" 1B	2	6	0 0	
" 1F 2	...	14	61	0 0	
" 2A	9	8	0 0	
" 2B	53	41	2 0	To be leased to Maoris by auction.
" 2C	13	45	0 0	To be leased to Maoris by auction. This is incorporated.
" 2E	7	27	0 0	Lease to be offered to Watarawi Rangi; failing him, to other Maoris.
" 2F	13	40	0 0	To be leased to Maoris.
" 2G	30	160	0 0	
" C	16	2	2 0	Reserve for travelling stock.
" D	41	5	2 0	" "
Mangatokerau 1A 1	...	1	55	2 8	
" 1C	...	7	721	1 4	Leased to Karaitiana Tamararo and another. Not to be transferred to European.
Mangaheia 1B 2C	...	1	7	0 30	
" 2A	1	1,300	1 4	Partly leased to Maoris. Title incomplete.
" 2H	2	17	1 14	
" 2K 1	...	3	249	3 32	
" 2K 2	...	11			
Puhatikotiko 1B 2A	...	3	32	0 22	
" 1B 2B	...	13	39	2 11	
" 1B 2C	...	9	20	1 28	
" 1B 2D	...	1	16	2 14	
" 2B 2A	...	2	4	1 0	
" 2B 2B	...	1	2	0 0	
" 2B 2C	...	2	6	2 0	
" 2B 3A	...	5	23	1 0	
" 2B 3B	...	4	4	2 0	
" 2B 3C	...	1	3	0 0	
" 2C	...	12	63	0 0	
" 2D	...	2	10	3 30	
" 2E	...	1	4	2 0	
Waimata Native Reserve, or Arai-Matawai	4,186	0 0	
Ruangarehu G	...	1	136	3 39	
" H	...	1	109	3 12	
" H1	...	1	24	0 12	
Tuahu Reserve 1	...	4	600	0 0	
" 2	...	2	400	0 0	
" 3	...	4	600	0 0	
Puninga 3	...	17	588	0 0	
" 4	...	10	314	0 0	
" 5	...	8	749	0 0	
" 8	...	17	171	0 0	
" 9	...	5	336	0 0	
" 10	...	4	256	0 0	
" 11	...	13	836	0 0	
Pakirikiri	...	1	30	0 0	
Tauwharetoi 1D	...	25	689	3 32	
Mangatu No. 4	6,000	0 0	
Total	23,998	3 8	

B.—LANDS NOT DEALT WITH.

Total area 71,715 acres.

APPENDIX.

THIS deed, made the 25th day of July, 1903, between Wiremu Pere, member of the House of Representatives, and Rawiri Karaha, aboriginal Native, both of Gisborne, in the Colony of New Zealand, of the first part; William Lee Rees, of Gisborne aforesaid, barrister, of the second part; and the Gisborne Harbour Board, of the third part.

Whereas the Government of New Zealand has recently acquired (*inter alia*) certain portions of the Waiohiorore No. 2 Block, situate on the Waikanae beach, Gisborne aforesaid, for railway purposes: And whereas at the Compensation Court set up to decide what compensation should be paid to the Native owners for the taking of such land the question of the accretions to the land caused by the receding sea and by the harbour-works of the Gisborne Harbour Board was raised, and incidentally the title of the Gisborne Harbour Board to such accretion was called in question by the Native owners of the abutting land: And whereas by the action of the sea and the Gisborne Harbour works now constructed and in present course of construction, and by and through other causes, there are likely to be further accretions to the said land: And whereas the plan delineated hereon shows the land taken by the New Zealand Government for railway purposes as marked or edged green, and the land outside that area as marked or edged pink are the accretions above referred to: And whereas in order to settle all questions of title between the parties hereto it was agreed during the hearing before the said Court that the Gisborne Harbour Board should take as its share of the accretions aforesaid all the land to the eastward of the red line shown on such plan, estimated to contain about 6 acres and 3 perches, and that the Native owners should (so far as the balance of the land contained in such plan was concerned) take all the rest of the accretions shown on the said plan, and it was further agreed that the Compensation Court should fix a separate value upon the part so agreed to be taken by the Gisborne Harbour Board included in the land taken by the New Zealand Government aforesaid, so that the Gisborne Harbour Board might receive from the Government its proper share of the value of the land so taken; it was also agreed that the public road marked on the plan as Lowe Street (which road at present only extends to Maraetaha Road) should extend right down to and have its terminus at high-water mark on the beach, and, further, that from and out of any further accretions caused by the receding sea and by the works of the Gisborne Harbour Board on the part retained by the Natives the Gisborne Harbour Board should have for the purpose of constructing a public road the first 2 chains thereof in width: And whereas the consideration payable to the Native owners by the Gisborne Harbour Board for all advantages received or supposed to be received under this agreement was fixed at £550, to be paid as soon as an Act of Parliament is passed by the General Assembly of New Zealand validating and confirming this arrangement: And whereas there are a large number of Natives interested in the said land, and it was arranged that the said Wiremu Pere and Rawiri Karaha should sign this deed as and on behalf of all the Native owners interested, and, further, that the said William Lee Rees, as counsel for the Native owners and as consenting to this arrangement on their behalf, should be made a party hereto, and execute these presents:

Now this deed witnesseth that in pursuance of the aforesaid arrangement and of the premises, and in consideration of the sum of £550 to be paid by the Gisborne Harbour Board to Henry Cheetham Jackson, of Gisborne aforesaid, accountant, in trust for the said Native owners and other persons interested as aforesaid, the said Wiremu Pere and Rawiri Karaha, for themselves and for and on behalf of all other the owners of the said land, and the said William Lee Rees, as a consenting party as aforesaid, do hereby covenant and agree with the Gisborne Harbour Board as follows:—

1. That they, the said Wiremu Pere and Rawiri Karaha, for themselves and on behalf of all the persons interested therein, do and each of them doth hereby convey and assure unto the Gisborne Harbour Board all that piece or parcel of land, situate in the district of Poverty Bay, called or known as part of the Waiohiorore No. 2 Block, estimated to contain 6 acres and 3 perches, more or less, being all the land to the eastward of the red line drawn on the plan delineated hereon, and all the estate and interest of all the owners therein and thereto, together with all present and future accretions thereto caused by the receding sea or by any other means howsoever, to hold the same unto the Gisborne Harbour Board, its successors and assigns, for ever.

2. That the public road called or known as Lowe Street shall, as shown on the plan delineated hereon, extend to and have its terminus at high-water mark on the Waikanae Beach, and that the soil of such road so extended shall be deemed to vest in the Gisborne Borough Council as and for a public street within the meaning of "The Municipal Corporations Act, 1900," without any further act of dedication than is contained herein.

3. That from and out of any further accretions to the present accretions agreed to be given to the Native owners of the abutting land referred to in the 4th clause hereof the Gisborne Harbour Board shall be entitled to a strip 2 chains in width for the purpose of constructing a public road along the foreshore of the beach.

4. And the Gisborne Harbour Board on its part and for itself and its assigns doth hereby convey and assure unto the Native owners of the abutting land all the aforesaid accretions to the said land as shown on and by the said plan to be lying to the westward of the red line marked thereon, with the exception of the part necessary to extend Lowe Street to the high-water mark on the beach: Provided also that all further land or accretions thereto (with the exception of the 2 chains width for a road as aforesaid) caused by the receding sea or by the works of the Gisborne Harbour Board up to high-water mark shall be deemed to be also the property of the aforesaid Native owners.

5. That the said Gisborne Harbour Board will pay to the said Henry Cheetham Jackson, for and on behalf of all the owners of the abutting land, immediately this deed shall be validated by Act of Parliament, the sum of £550.

6. The receipt by the said Henry Cheetham Jackson of the said sum of £550 shall be a complete discharge to the Gisborne Harbour Board of the payment thereof, but such sum shall be paid into an account at such bank in Gisborne as the said Henry Cheetham Jackson shall request, to be operated on by the said Henry Cheetham Jackson and the Registrar for the time being of the Native Land Court of Gisborne.

7. All moneys payable by the New Zealand Government for land taken by the Railway Department to the eastward of the red line on the said plan shall be paid to the Gisborne Harbour Board, whose receipt thereof shall be a final discharge to the Government or to the persons so paying the same.

In witness whereof the parties hereto have hereunto subscribed their names, the day and year first above written.

Signed, sealed, and delivered by the said Wiremu Pere, after the contents had been read over; translated, and explained to him in the Maori language, and he appeared clearly to understand the same, in the presence of—

(S'd) L. M. GRACE, J.P.,
Wellington.

(S'd) D. F. G. BARCLAY,
Licensed Interpreter, First Grade,
Wellington.

(S'd) WI PERE.

Signed, sealed, and delivered by the said William Lee Rees, in the presence of—

(S'd) E. J. CHRISP,
Solicitor, Gisborne.

(S'd) W. L. REES.

The common seal of the Gisborne Harbour Board was hereunto affixed this day, 1903, in the presence of—

(S'd) JOHN TOWNLEY, Chairman.
W. SIEVWRIGHT, Member.
JAMES WILLIAM WITTY, Secretary.

[L.S.]

Signed, sealed, and delivered by the said Rawiri Karaha, after the contents had been read over, translated, and explained to him in the Maori language, and he appeared clearly to understand the same, in the presence of—

(S'd) H. C. JACKSON
Accountant, Gisborne.

(S'd) RAWIRI KARAHA.

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