

was passed. This Act, it may be suggested, finally put an end to all claim on the part of the Natives for further consideration. I wish if possible to remove that impression, and I think I shall be able to do so. This Act is called "An Act to make Provision for Landless Natives in the South Island," and it enables the allocation of land to be made on the basis which Mr. Percy Smith and Mr. Mackay had recommended. There is nothing in the Act as passed, except section 7, that can be said to have any bearing whatever upon the question of claims. Section 7 says, "For the purpose of carrying out the intention of this Act, or in fulfilment of any contract, promise, agreement, or understanding in connection with the setting-apart of lands for landless Natives in the South Island, the Governor may from time to time execute warrants for the issue of Land Transfer certificates," &c. Well, now, that section clearly applies only to contracts made for the purpose of giving land to landless Natives. The position in this case is that the Natives claimed not because they were landless, but because they alleged that certain promises were made when the land was sold which have never yet been adequately fulfilled. Under the South Island Landless Natives Act it was only those who already had not 50 acres that got anything at all. Those who had 50 acres or more received no benefit whatever under that Act; and, although those same Natives are the successors of the original vendors of the property, they have received no benefit whatever. So it cannot be said that anything done under the Landless Natives Act has been in any way—as regards those Natives, at all events—a fulfilment in any respect of the original promises that were made. In order further to establish the point that this Act was not intended to finally deprive the Natives of any just claim that they might have for consideration outside the condition of landlessness, I would refer to the Bill as it was originally introduced by the Hon. Mr. Carroll. It was a Bill intitled "An Act to make Provision for Landless Natives," and then it goes on to recite that—

"Whereas in consequence of numerous petitions received from the Natives of the South Island relative to the non-fulfilment of promises made them on the cession of their territory in that Island to the Crown that additional land sufficient for their future wants should be set apart for them and their descendants: And whereas several inquiries have been made under Royal Commission for the purpose of ascertaining their actual requirements: And whereas a Joint Committee of both Houses of Parliament was appointed in the year one thousand eight hundred and eighty-eight, and again in the years one thousand eight hundred and eighty-nine and one thousand eight hundred and ninety, to report on the aforesaid claims: And whereas these several inquiries eventually resulted in the setting-apart of various areas of land in the said Island, and Commissioners were appointed on the thirteenth day of October, one thousand eight hundred and ninety-three, to allocate such lands subsequently set apart for a similar purpose: And whereas after lengthened inquiries relative to the various matters pertaining to the appropriation and allocation of such lands to the persons intended, the said Commissioners have reported to the Minister of Lands that the allocation is now complete," &c.

Well, when that Bill was introduced, the Natives saw that by this recital, if it were allowed to stand, their claims, apart from the footing of landlessness, would probably be seriously impaired. In consequence of that a deputation waited upon the Prime Minister, and the Prime Minister, after hearing them, promised that the preamble, which I have just read, should be withdrawn. So it could not be suggested that the Act was in satisfaction of claims that were independent of a landless condition. Not only was that so, but I am informed that, the preamble having been struck out in the Lower House, it was sought to be reintroduced in the Upper House, and that the Native member for the South Island represented what had already taken place upon the subject, with the result that the attempt on the part of the Upper House to extend the Act to make it apply to these claims that had been the subject of such frequent application to the House was not carried out. What has happened in regard to the provision under the Landless Natives Act is that lands have been awarded not in the Ngaitahu Block at all, but in districts altogether outside of the block. So that if one were to come to deal with the question of whether a reservation has been made out of the block itself for the benefit of the Natives, as was the intention, one could suggest that that had not been done. Still, I do not lay very much stress on that suggestion. The other points mentioned do, I submit, establish that this Act, passed in 1906, was not intended to affect, and has not affected, the rights of the Natives, whatever they may be, in virtue of the original promises made to them. The position, I understand, with regard to Native claims now, in the South Island, is that, although there were several purchases—there was the Nelson purchase, the Picton, the Westland, the Murihiku, and the Stewart Island—all these claims have been settled. No claim is brought forward in respect to them, although there are many Natives who are interested in the Ngaitahu Block likewise interested in those other blocks. So that if it were a question of merely raising a claim for the sake of trying to get something, then the probability is that one would have heard of claims not only in respect of this block, but of all the others as well; but, inasmuch as no claims have been made in respect of those blocks—because the Natives there consider that all the promises have been adequately fulfilled—it is proof of their *bona fides*. Independently of that, however, I hope to convince the Committee that this claim is not one that is suddenly conceived or deliberately hatched for the purpose merely of trying to extract a certain amount of compensation, either in land or money, from the Crown. I have established, I hope, to the satisfaction of the Committee that this Act of 1906, and what was done under it, in no way stand in our path. Shortly put, the claim that we are now here to submit to the Committee arises thus: The Ngaitahu Block was purchased in the year 1848. Certain portions were not sold. Those are what in the original translation were described as "our places of residence and cultivations." That was the way in which the deed was interpreted at the time. Then, in addition to the portions that were not sold, the deed provided