

Then he was asked this:—

“Has there been any wavering on part of Natives to these claims?—Ans.: No, not to my knowledge. Ques.: Have you any information concerning proceedings of the Native Lands Court held at Dunedin in 1868?—Ans.: Yes; I was present, I believe, the whole time, and gave evidence. The subjects on which I was chiefly examined were the ‘Ngaitahu Block purchase,’ and the claims under Kemp’s purchase. I am not aware of any endeavour being made to settle these claims, or of any compromise thereof.”

That was what Mr. Mantell said, speaking four years afterwards. Then there was a further petition from the Natives in 1874. This will all be found in I.—8, 1888, page 30—in fact, I.—8 embodies the bulk of the papers to which I refer. At page 30 the petition is set out, and I will read one passage:—

“Some may perhaps suppose that all these arguments have been settled in the Land Court at its sittings in Christchurch and Dunedin in the year 1868. It is not so. We never expected that Court to be invested with power to settle complaints of such vast interest to us. We were therefore not prepared to submit our case to that Court. Our estimation of that Land Court was completely confirmed when it stumbled over the Crown grant by which the Princes Street Reserve was made over to the Province of Otago.”

The Natives were represented on that occasion by counsel, but the latter was only instructed in so far as the dispute with reference to the Kaitorete Reserve and some other reserves was concerned: he had no instructions whatever with reference to this general question of the settlement of the claim; and, although it was stated in the evidence before the Joint Committee that the Natives were represented by Mr. Mackay, the Government officer, yet Mr. Mackay, while representing the Natives in a sense, was there to take care of the interests of the Crown. That was not such a representation as could bind the Natives by whatever might be suggested by him on that occasion. The next document is Mr. Mackay’s report of the 24th June, 1874—G.—2c, 1874. The matter is referred to him on the basis that a settlement has not taken place, and he sets himself the task of trying to devise some scheme according to which the compensation might be fairly estimated. In speaking of the poverty of the Natives he says,—

“The Natives have now nothing left them as a means of subsistence, since the timber on the reserves has been consumed, but their farms of 14 acres, which, instead of cultivating, they frequently lease to the European settlers for the sake of obtaining a little ready money; but, as the area owned by each individual is but small, a very insufficient income is realized. A much larger area is necessary to afford subsistence for a Maori than a European, owing to the difference in their mode of tillage.”

Then he goes on to say,—

“All this might have been obviated in the case of the Southern Natives, had the precaution been taken to set apart land to provide for the wants of the Natives, in anticipation of the probable effect of colonization on their former habits. It would have been an easy matter for the Government to have imposed this tax on the landed estate, on the acquisition of Native territory. Such reserves would have afforded easy relief to the people who had ceded their lands for a trifle, and formed the only possible way of paying them with justice.”

Then he goes on to speak of meetings that have been held, and proceeds,—

“Considering the grievous delay the Natives have been subject to, it is highly important that a final adjustment of these questions should be effected as speedily as possible, in order that the Government may no longer be reproached with overlooking their rights. The general question of the obligations of the Government on account of unfulfilled promises to those Natives has been before the House of Representatives the last two sessions, and their right to consideration admitted; but the chief difficulty hitherto has been to determine the value of these promises; and, with a view to facilitate the settlement of the question, I propose to submit certain propositions for the consideration of the Government.”

Then he goes on,—

“According to the evidence given by the Hon. Mr. Mantell, on the 27th April, 1872, before the Select Committee of the House of Representatives appointed to inquire into and report upon the unfulfilled promises to the Natives in the Middle Island, the promises concerning the establishment of schools and hospitals, &c., for their benefit are confined to the Ngaitahu Block, purchased by Mr. Kemp in 1848, for which the sum of £2,000 was paid; but in completing the settlement of the question Mr. Mantell was instructed by Lieut.-Governor Fyre to inform the Natives that the money paid them was not the only or principal consideration for the cession of their land, but that certain benefits should be conferred upon them besides—obligations that have never been carried out to the present time—a period of twenty-six years—excepting in a manner that cannot affect the general question.”

Then he speaks of how much the Ngaitahu Block comprises—namely, an area which may be set down at twenty million acres. He goes on,—

“It is evident, from the tenor of the instructions to Mr. Mantell, that the Government of the day looked upon the price paid for the territory comprised in the aforesaid block as a very inadequate one. That point being established, the next thing to ascertain is the value of the said promises; but, as there is no formula upon which a calculation can be based, I would beg to recommend that an average basis should be adopted as the most equitable mode of deciding the question.”