

REPORTS.

REPORT No. 1.

YOUR EXCELLENCY,—

Wellington, 8th October, 1920.

Pursuant to the Commission issued to us on the 8th day of June last, authorizing us to inquire into and report upon various matters therein set forth, we have duly entered upon the duties assigned to us, held public sittings of the Commission at convenient times and places, and are now giving to the various matters our anxious consideration.

As, however, some time must elapse before a full report could be presented, we ask Your Excellency's permission to submit a report dealing with two of the matters which have become the subject of arrangement between the Natives affected and the representatives of the Crown. We do this in case Your Excellency's Advisers, after considering those agreements and our report, should deem it proper or expedient to seek legislative action to give effect to the arrangements come to.

KAPOWAI.

This refers to a piece of land situate in the Bay of Islands County and the Russell Survey District. The part now in dispute contains 2,075 acres. It has been a bone of contention between the officers of the Crown and the Natives for very many years, the former claiming that it became vested in the Crown by virtue of the Crown's dealings with various old land claims arising in and prior to the year 1840. The Natives on their side claimed that this portion of the land was not affected by such claims or purchases. The parties have now come to an agreement or settlement of the dispute. This has been reduced to writing, and a copy is annexed, marked "A." [Not printed.] Subsequently it was found that the Natives desired possession of another portion called Ohinereria, an old settlement of theirs, and it was arranged that 50 acres at that spot should be exchanged for 50 acres of the portion set apart by the written agreement. The fact that a settlement was arrived at will show that Your Excellency was justified in referring the matter for inquiry, and from knowledge gleaned during that inquiry we think the Crown representatives are but doing something towards simple justice in coming to the compromise. Seeing that the Natives have not had occupation of the portion, now agreed upon, for years, it would, in our opinion, be an act of grace to allow them to retain the 50 acres as an extra award instead of exchanging it for a portion of that already agreed to.

We, however, foresee some difficulty in carrying out the arrangement come to. If the land is Crown land we conceive the Crown officers cannot dispose of it without some statutory authority; and, similarly, if it is Native land it would appear that there must be some proper assurance of it to the Crown. As the title has never been investigated by the Native Land Court, a problem might arise as to how this could be effected.

Under these circumstances we suggest that legislation be passed to the following effect: That in order to settle a long-standing dispute between the officers of the Crown and certain aboriginal Natives as to the ownership of certain land situated in the Russell Survey District and known by the Native name of Kapowai Block, and to give effect to an arrangement of compromise come to on the 20th day of September, 1920, be it enacted—(1) That Section 3, Block X, and Sections 4, 5, and 6, Block VI, Russell Survey District, containing 1,099 acres 3 roods or thereabouts, shall be deemed to be Native land, and the title thereof may be investigated by the Native Land Court and otherwise dealt with as if it were and had always remained customary land; (2) that Sections 1 and 4, Block V, and Section 1, Block VI, shall, with the exception of 50 acres