

1932.

## NEW ZEALAND.

## SURVEY LIENS ON NATIVE LANDS

(REPORT AND RECOMMENDATION OF CONFERENCE OF DEPARTMENTAL OFFICERS WITH REGARD TO EXTINGUISHMENT OF).

*Laid on the Table of the House of Representatives by Leave.*

Native Department, 8th November, 1932.

The Hon. NATIVE MINISTER, Wellington.

*Survey Liens—Native Land Settlement Account.*

As the funds from which the survey liens were paid in the first instance were loan-moneys, Treasury has advised that the amount of principal loan-moneys not exceeding £45,000 to be written off will require to be refunded from the Consolidated Fund as part of the annual budgeting. It was recommended that for convenience this be arranged by an item in the Native Department's estimates over a period of four to five years, the effect of which would be to increase the Department's estimates by £12,000 annually until the sum of £45,000 had been made good.

In view of the need for reduction of departmental expenditure to keep within the funds available for the annual appropriations, the sum of £5,000 only was provided in the estimates last financial year, and a similar amount is being included in the estimates for the current year. The provision in the estimates of these amounts shows an annual increase of £5,000 in the Native Department's appropriation, but actually the expenditure of the Department is not increased.

R. N. JONES, Under-Secretary.

The Treasury, Wellington, 29th November, 1930.

Memorandum for the Hon. the ACTING MINISTER OF FINANCE, Wellington.

*Survey Liens—Native Land Settlement Account.*

THE total liens outstanding are .. .. .	£	290,682
	£	
Those affected by the consolidation scheme total (approximately) .. .. .	£	115,371
Less amount satisfied by Native lands being transferred to the Crown .. .. .	£	33,359
Leaving to be written off—	£	
Interest (total) .. .. .	£	37,859
Principal (57 per cent.) .. .. .	£	44,153
	£	<u>£82,012</u>

In addition to the above, sundry losses through loan advances, &c., can be anticipated which will bring the capital figure to approximately £50,000.

Basically the present proposal appears to be one of land-settlement promotion and Native welfare, the economic aspect being that the security for the liens is practically unenforceable and partially non-existent.

The position has arisen out of the functioning of the Native Land Settlement Act, 1909, which in its present form has proved administratively defective in that it has enabled such substantial sums to be charged against loan-moneys, the security for which is demonstrated as futile, for the most part, by the application now under review.

Unquestionably, the discretion exercised by the Courts, &c., in the past has been divorced from commercial responsibility, and not subjected to such ordinary precautions as deposits, or the economic capacity of the land in question.

The Hon. the Native Minister has, however, undertaken that adequate steps to ensure such safeguards will be instituted with respect to future partitions. Briefly stated, the proposal is to write off lump sums equivalent to all interest charges and 57 per cent. of the principal. To facilitate consolidation it is proposed to accept lump sums with respect to each scheme, but these amounts have been arrived at more or less on the basis of the land's economic capacity as measured by recent Government valuations. The arrangement now under consideration will not, it is understood, be regarded as a precedent with respect to areas yet remaining to be dealt with.

Assuming that Cabinet approves of the scheme, the ordinary machinery of the Public Revenues Act can be effectively employed with respect to the financial aspect.

The questions for Cabinet decision are as follows:—

- (1) The acceptance, as part settlement, of substantial areas of poor-quality lands £  
having for the most part only a national value, and arbitrarily assessed at.. 33,359

- (2) The writing-off with respect to schemes recently reviewed of interest charges totalling .. .. . £ 37,859

NOTE.—These charges have been paid annually from the Consolidated Fund appropriations as they fell due, but have not been reimbursed from the Native Land Settlement Account, there being no funds in that account to enable it.

Therefore these amounts will not require to be placed upon the annual estimates of future years, but will be cleared by way of formal parliamentary sanction to sums written off as irrecoverable in the relative schedule in the Appropriation Act of 1931.

- (3) The writing-off of principal loan-moneys not exceeding .. .. . 45,000

NOTE.—Consequentially this sum will require to be funded from the Consolidated Fund as part of the annual budgeting. These moneys have been borrowed, and must be restored.

In view of the present economic conditions it is recommended that this be arranged by an item in the Native Department's estimates over a period of four to five years (say, £12,000 per annum).

The effect of this will be to increase the Native Department's estimates by £12,000 annually until the deficiency of £45,000 in the Native Land Settlement Account has been made good.

A. D. PARK, Secretary to the Treasury.

Office of the Minister of Native Affairs, Wellington, 18th November, 1930.

Memorandum for the Hon. the ACTING PRIME MINISTER.

APPENDED is the report of the Conference between the Finance, Lands, and Native Departments on the matter of survey liens on Native Lands. The specific recommendations are—

- (1) Out of a total sum of £115,371 18s. 9d. scheduled as due for principal and interest the sum of £82,012 18s. 9d. be written off, leaving a balance of £33,359 to be provided either in land or cash.

I approve this recommendation, subject to one variation: that the further amount of £845 be written off, the effect of which is to completely write off the survey charge on Opape Block in the Opotiki district.

- (2) Those contained in suggestions made by the Lands Department in regard to future surveys and the collection of survey liens in a memorandum signed by Messrs. O'Donnell and Knight.

I approve these suggestions in general terms, and if approved by Cabinet will take up their consideration and application in detail, as legislation may be required to give full effect thereto.

To these recommendations I may add that some survey charges on lands included in consolidation schemes with special reference to the Rotorua district were not scheduled in time for the conference, and I recommend as these come under notice that the Heads of the Treasury, Lands, and Native Departments submit proposals to Cabinet regarding the same.

A. T. NGATA.

Native Department, Wellington, 14th November, 1930.

Hon. the NATIVE MINISTER,—

Pursuant to your direction, a conference of officers attached to the Lands and Survey Department, the Treasury, and this Department was convened for 10th November to consider the question of what should be done with regard to survey charges upon Native lands within certain districts which, from their nature, have been found to be a block upon settlement and a burden upon the Native owners of the land. After careful consideration of various subcommittees, a report was submitted to the conference which is now forwarded to you for action, as it will probably require Cabinet authority before effect can be given thereto. Briefly put, there is an amount of £115,371 18s. 9d. of survey charges (inclusive of interest) affected, and of this it is proposed to remit £82,012 18s. 9d., leaving a balance of £33,359 to be provided either in land or cash. This will require an adjustment between the Consolidated Fund and the Native Land Settlement Account in such manner as Treasury and Audit shall think best, the ultimate result being the remission of the amount of £82,012 18s. 9d. referred to above. The figure recommended by the conference is one that might fairly and reasonably be made. This is concurred in by Mr. W. Taylor for the Treasury and Mr. J. B. Thompson, Under-Secretary for Lands.

R. N. JONES, Under-Secretary.

Native Department, Wellington, 13th November, 1930.

Memorandum for the UNDER-SECRETARY, Native Department, Wellington.

*Survey Liens on Native Lands, Conference re Extinguishment of.*

HEREWITH is our summary of the reports and recommendations of the subcommittees set up to examine the position of these survey liens.

Attached thereto are the complete reports of the subcommittees, also a suggestion by the Lands Department officers as to the collection of survey liens and the payment of future survey costs. We have added a brief foreword to the summary of the reports and recommendations.

These are now ready to be submitted to the Committee comprising the Permanent Heads of Treasury, and Lands Department, and yourself for such further action as you may deem necessary.

J. H. O'DONNELL.

G. P. SHEPHERD.

WM. TAYLOR.

SURVEY LIENS ON NATIVE LANDS AFFECTED BY CONSOLIDATION SCHEMES, AS TO PROVIDING A BASIS OF SETTLEMENT OF.

*Difficulties in relation to Consolidation and Rate Compromises.*

For some time past consolidation officers have found themselves confronted with insuperable difficulties in the prosecution of the preparation of suitable schemes of consolidation owing to the liabilities for rates and survey liens, with heavy accumulations of interest charges on the lands being dealt with, preventing the ascertainment of the basic net value of individual interests. Legislative and financial provision was made for the payment to and compromises by local bodies of rates. Compromises were negotiated with the local bodies concerned whereby the local bodies agreed to heavy writings-off of the rates indebtedness, general exemptions from rates were granted over a period of years, and payments of the remaining rates were made from the Native Land Settlement Account under the provisions of the Native Land Acts in that behalf.

*Inadequacy of Present Machinery.*

Section 32 of the Native Land Amendment and Native Land Claims Adjustment Act, 1927, was passed with a view to facilitating the remission of survey liens in proper cases where the Court was of opinion that any charge for survey might reasonably be remitted, and the Minister of Lands was empowered in his discretion to give effect to any recommendation of the Court. This procedure required the case of the survey lien on each individual block being brought before the Court and a separate recommendation made in respect thereof. As there were many thousands of blocks of land involved, the Native Minister recognized the inadequacy of the machinery provided for dealing with a matter having such a country-wide application, and to meet the position considered the introduction of legislation to provide a simpler method of dealing with the problem in a comprehensive manner.

*Conference of Departmental Officers.*

On further consideration and after consultation with the Treasury officials, it was decided to call together the officers of the Departments concerned in conference to consider what steps should be taken to overcome the difficulties created by the survey charges, and to suggest whether or not remissions of the whole or part of the accumulated charges should be made in order that the charges might be extinguished, and thus open the way to consolidation and development of Native lands by freeing them of encumbrances.

*Purpose of Conference and Constitution of Committees.*

In pursuance of the decision to investigate the incidence of the survey charges, a conference was convened which commenced its sittings at Wellington on the 10th November, 1930. The conference, which was attended by representatives of the Treasury, the Lands Department, and the Native Department, was opened by the Hon. the Acting Prime Minister, and was addressed at length by the Hon. Native Minister as to the purpose of the officers being called together and the need for an impartial examination of the facts. After general discussion, the Hon. Native Minister suggested that it would be desirable to form subcommittees to deal with each district and scheme affected, and this was accordingly done, the subcommittees set up being as follows:—

North Auckland—

Comprising Kaipara, Bay of Islands, Hokianga, and Mangonui Consolidation Schemes: Messrs. Thomson, Cooper, Bell, and Dillon (Native Department), Taylor (Treasury), and Darby (Lands Department).

King-country—

Comprising the Counties of Waitomo, Otorohanga, Kawhia, Ohura, and Taumarunui: Messrs. O'Donnell and Knight (Lands Department), Shepherd and Jones (Native Department).

Bay of Plenty-Rotorua-Taupo District: Messrs. O'Donnell, Knight (Lands Department), Mitchell, Royal, and Anaru (Native Department).

Hawke's Bay - Gisborne - Bay of Plenty (Gisborne District): Messrs. Primrose and Shaw (Lands Department), Judge Carr and Messrs. Harvey and Swift (Native Department).

*Contribution to Survey Costs.*

The extent to which Native lands generally have been called upon to contribute towards the cost of their survey since the coming into force of the Native Land Act, 1909, which set up the existing procedure for carrying out the surveys, is as follows, viz. :—

	£	s.	d.
Expenditure on Native land surveys from 1st April, 1910, to 30th March, 1930	611,480	15	8
Balance outstanding at 31st March, 1930—	£	s.	d.
Principal .. .. .	199,044	0	0
Interest .. .. .	91,224	0	0
	290,268	0	0

*Economic Value of Past Surveys.*

From our knowledge of the position and from the statements made during the deliberations of the subcommittees, there is no doubt in our minds that a great number of surveys that have been made in the past, following on partition orders of the Court, have no economic value either as regards the lands surveyed or their owners. Many of the partitions were made in accordance with Native custom, and to satisfy the demands of individuals or party factions. Many of the survey lines are now found to be unsuitable for fencing-lines and the sections found to be not economically large enough for farming. Moreover, many of the partitions have been made in such shape as to preclude their economic utilization as farming undertakings.

Unfortunately, survey costs are based not on the value of the land surveyed, but on the factors of the work involved, such as length of lines cut and cleared and necessarily include considerable expenses incurred by surveyors going to and from the field.

*Uniformity of Recommendations.*

The committees have applied themselves diligently and fearlessly to the difficult problems involved in the matter of these survey charges, and the results, which have been obtained by independent investigation, show a uniformity of recommendation which appears to demonstrate the unanimity of the investigating officers as to the need for compromise on and settlement of this all-important question affecting our Native lands.

The reports of the deliberations of the several subcommittees, together with their respective recommendations, have now been submitted, and these are tabulated hereunder for ease of reference.

J. H. O'DONNELL.

WM. TAYLOR.

G. P. SHEPHERD.

Wellington, 13th November, 1930.

## NORTH AUCKLAND DISTRICT.

Scheme.	Area.		Unimproved Value.	Survey Liens.						Amount recommended to be remitted.		Amount to be paid by Natives in Cash or in Land.	
	A.	R. P.		Principal.	Interest to 31st March, 1930.		Total.		£	s. d.	£	s. d.	
1. Bay of Islands Scheme (comprising counties of Whangarei, Bay of Islands, and Kaikohe Town Board District)	201,733	0 12	335,371	13,564	8 0	8,973	3 4	22,537	11 4	35,619	2 9	11,000	0 0
2. Hokianga (comprising County of Hokianga and Kohukohu Town Board District)	114,567	1 04	174,270	9,463	0 8	4,602	5 10	14,065	6 6				
3. Mangonui (comprising counties of Mangonui and Whangaroa)	131,442	0 25	103,981	6,339	17 4	3,676	7 7	10,016	4 11				
4. Kaipara (comprising counties of Waitemata, Rodney, Otamatea, Hobson, and Great Barrier)	74,603	1 10	126,612	2,046	1 0	1,329	8 4	3,375	9 4				
Totals .. .. .	522,345	3 11	740,234	31,413	7 0	18,581	5 1	49,994	12 1	38,482	12 1	11,512	0 0

Only one-half of the above areas are subject to survey liens.

In Schemes 1, 2, and 3 the maximum survey lien is not to exceed 5 per cent. of the unimproved value. That lands valued at 15s. an acre and under (unimproved) be wholly relieved of survey liabilities.

In Scheme 4 the small amount of land available for liquidating survey liens demanded relief up to three-quarters of the principal and the whole of the interest being recommended.

The report of the committee dealing with this district indicates that the area of Native land per head of Maori population is small after elimination of unsuitable or waste land, while the Native land (in common with European land) is of a variable nature with a large area of poor country, now looked upon as waste land. These northern lands generally are difficult and costly of development, and cannot stand too great an overhead of charges in addition to cost of development. The future of the northern peninsula, in view of the large Maori population, depends upon the effective settlement of the Natives and Native lands.

## KING-COUNTRY DISTRICT.

Scheme.	Area.	Unimproved Value.		Survey Liens.						Amount recommended to be remitted.	Amount to be paid in Cash or Land.	
		Owner.	Lessee.	Principal.		Interest.		Total.				
	Acres.	£	£	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£
King-country Consolidation Scheme (comprising the counties of Kawhia, Waitomo, Ohura, Otorohanga, and part Taumarunui, and Native Townships of Te Kuiti and Taumarunui)—												
Waitomo Series .. ..	270,422	394,634	13,408	7,980	16 3	3,829	17 3	19,293	18 3	12,862	18 3	6,431
Otorohanga Series .. ..	91,600	273,476	14,085	2,487	2 4	1,195	7 5					
Kawhia Series .. ..	33,313	51,735	89	1,781	14 0	1,170	4 6					
Hauaroa Series .. ..	11,789	74,973	3,971	604	17 11	243	18 7					
Totals .. ..	407,124	794,818	31,553	12,854	10 6	6,439	7 9	19,293	18 3	12,862	18 3	6,431

N.B.—There are a large number of the blocks comprising the above total area on which no survey charges are owing, the amounts incurred having been discharged out of rents from leases.

In arriving at the amount of the suggested remission the committee has given consideration to the value of the land and its ability to pay, and is made on the basis of all amounts over and above 5 per cent. of the unimproved value being written off with a maximum collection in any one case of 2s. 6d. per acre, with a minimum of 1s. per acre. Liens found to be reduced to £1 and under to be wholly remitted and land of a value of 15s. and less to have the charges remitted. The lands in this scheme vary greatly in quality and value, comprising as they do coastal sandhills, pumice plains, central ranges, and "sick" and "suspect" country. The best of the lands are vested in the Maori Land Board and are leased to Europeans, leaving a comparatively small area of good land available for the settlement of the large Maori population after deducting the leased lands and the more or less useless lands.

## HAWKE'S BAY, GISBORNE, AND BAY OF PLENTY DISTRICTS.

Scheme.	Area.	Survey Liens.						To be remitted.	Amount to be paid in Cash or Land.	
		Principal.		Interest.		Total.				
	Acres.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
Hawke's Bay and Gisborne District—										
1. Mohaka Consolidation Scheme—										
(a) Mohaka - Waipapa Blocks (Hawke's Bay District)	..	1,946	9 3	1,058	15 3	3,005	4 6	2,495	4 6	510 0 0
(b) Mohaka - Waihua - Putere Blocks (Gisborne and Hawke's Bay Districts)	..	810	13 9	520	10 8	1,331	4 5	887	4 5	444 0 0
2. Northern Waiapu Consolidation Scheme	..	4,122	9 9	1,600	8 10	5,722	18 7	3,577	18 7	2,145 0 0
3. Waiapu Consolidation Scheme—										
Old lien .. ..	..	595	11 8	..	..	..	..	..	..	..
New lien .. ..	..	2,345	16 2	490	12 7	3,432	0 5	..	..	..
Less paid .. ..	..	..	..	..	..	391	11 4	..	..	..
Balance .. ..	..	..	..	..	..	3,040	9 1	1,040	9 1	2,000 0 0
4. Tuparoa Consolidation Scheme—										
Old lien .. ..	..	1,291	2 1	..	..	..	..	..	..	..
New lien .. ..	..	3,803	5 3	790	16 2	5,875	3 6	..	..	..
Less paid .. ..	..	..	..	..	..	2,178	8 0	..	..	..
Balance .. ..	..	..	..	..	..	3,706	15 6	1,308	15 6	2,398 0 0
5. Tuparoa (not yet consolidated)	..	462	4 5	221	7 8	683	12 1	233	12 1	450 0 0
6. Waipiro .. ..	..	538	17 7	131	14 8	670	12 3	223	12 3	447 0 0
7. Apanui Consolidation Scheme	227,974	6,921	1 11	3,280	5 7	10,201	7 6	7,894	7 6	2,307 0 0
8. Ngaitai Consolidation Scheme	27,456	893	3 9	396	6 0	1,289	9 9	854	9 9	435 0 0
9. Whakatohea Consolidation Scheme	22,804	1,776	7 10	748	3 9	2,524	11 7	1,679	11 7	845 0 0
Totals .. ..	278,234	25,507	3 5	9,239	1 2	34,746	4 7	20,195	5 3	11,981 0 0
Less paid .. ..	..	..	..	..	..	2,569	19 4	..	..	..
						32,176	5 3			

## REASONS FOR RECOMMENDATIONS.

1. (a) *Mohaka-Waipapa* (interest and two-thirds of principal).—Poor quality land, drop in values, and the proved necessity of developing the lands and the settlement of the owners at a figure which will offer a fair opportunity of making good.

(b) *Putere*.—Number of useless and uneconomic partitions—small areas, bad shape, want of access, and to afford necessary assistance towards the desire of the owners to develop and work the land.

2. *Northern Waipapu*.—To a large extent the land comprised in this scheme has failed to attract European or Maori settlers, otherwise liens would have been paid on alienation or on the land being farmed. The proposed remission is in the best interests of the settlement of the land at a fair value.

3. *Waipapu*.—All old liens and interests written off. The new liens, amounting to 3s. per acre plus interest, remain on the area. The old liens cover the balance remaining of a much greater sum and represent surveys which are no longer of any use.

4. *Tuparoa*.—There remains on the land 2s. 6d. per acre. This is considered the maximum amount the land can be fairly asked to pay.

5. *Tuparoa* (not consolidated).—This area is comprised of blocks not yet dealt with under consolidation, being held in reserve for adjustment purposes in connection with the main consolidation scheme. The remission represents the interest due on the old liens.

6. *Waipiro*.—The remission in the case of the lands in this scheme represents a third of the interest and principal, and comprises small areas such as papakaingas, reserves, and other blocks incapable of bearing the burden of the charges.

7. *Apanui*.—This settlement represents a remission of the interest and two-thirds of the principal. The coastal lands in this series are capable of settlement by the owners; but behind the coastal lands there exists extensive areas of poor steep bush and hills, which are unfitted for development by Maoris, and the burden of these poorer lands in connection with the limited area of cultivable land renders it encumbent to afford relief to the owners.

8. *Ngaitai*.—In this scheme the settlement represents a remission of two-thirds of the total of principal and interest. Reasons same as Apanui. In this scheme it is proposed to offer to the Crown Torere 1B 2, Torere 1B 15, and Lots 1 and 2 of Torere No. 3 Block, comprising an area of 6,614 acres, to liquidate the remaining one-third of the total survey liens and a sum of £435 due to the Opotiki County Council. The Lands Department representative on this committee desired to make some separate observations, which are appended hereto.

9. *Whakatohea*.—The remission over this area represents two-thirds of the total of the principal and interest. The lands are included in a development scheme, and the remission will facilitate the development and settlement of the lands, which are the major portion of the lands returned to the Whakatohea Tribe following on the Bay of Plenty confiscations.

*Separate remarks of Mr. Shaw (Lands Department representative) concerning Ngaitai recommendation.*—As land offered does not appear to have utility value, do not consider Crown, in addition to writing down liens, should have to pay out money for rates, otherwise offer of one-third principal and interest might be accepted; but consolidation is small, and not much scope for good settlement.

## ROTORUA AND TAUPO DISTRICTS.

Scheme.	Area.		Survey Liens.						Amounts to be remitted.		Amounts to be paid in Cash or Land.	
			Principal.		Interest.		Total.					
	A.	R. P.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
<i>Rotorua and Taupo Districts Lands.</i>												
Arawa Consolidation Scheme—												
Taheke Series ..	4,105	1 0	592	1 0	192	12 10	784	13 10	} 10,472 3 2	} 3,435 0 0		
Rotoiti Series ..	14,094	0 32	993	4 8	442	19 2	1,463	3 10				
Rotomahana-Parekarangi Series	47,839	3 24	1,993	17 0	734	19 6	2,728	16 6				
Tuhoe Series ..	3,411	0 39	281	3 9	101	19 0	383	2 9				
Ngati-Manawa Series	13,117	1 36	1,124	19 9	333	4 1	1,458	3 10				
Ngatiawa Series ..	85,728	0 22	5,322	9 5	1,793	13 0	7,116	2 5				
Totals ..	168,296	0 33	10,307	15 7	3,599	7 7	13,907	3 2				

The poorness of the land over the greater portion of the area of this district has induced this committee to give special consideration to the need for substantial relief being recommended. The recommendation is based on a remission of all sums in excess of 5 per cent. of the unimproved value, with a maximum collection of 2s. 6d. per acre and a minimum of 1s. per acre. Liens of £1 and under to be wholly remitted, and land of an unimproved value of 15s. and less to have the liens remitted. The total remission recommended amounts to a writing-off of the whole of the interest owing and two-thirds of the principal.

## SUMMARY.

Summarized over the whole of the districts affected, the position of the existing charges for survey liens (principal and interest) and the remissions recommended by the subcommittees is as follows :—

District.	Survey Liens.						Remissions Recommended.	Amounts to be paid in Cash or Land.	
	Principal.		Interest.		Total.				
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
1. North Auckland District ..	31,413	7 0	18,581	5 1	49,994	12 1	39,482	12 1	11,512 0 0
2. King-country Area ..	12,854	10 6	6,439	7 9	19,293	18 3	12,862	18 3	6,431 0 0
3. Hawke's Bay and Gisborne District and Bay of Plenty District ..	22,937	4 1	9,239	1 2	32,176	5 3	20,195	5 3	11,981 0 0
4. Rotorua and Taupo Districts ..	10,307	15 7	3,499	7 7	13,907	3 2	10,472	3 2	3,435 0 0
Totals ..	77,512	17 2	37,859	1 7	115,371	18 9	82,012	18 9	33,359 2 4

Total liens outstanding ..	£	290,682
Total liens to be discharged ..	£	115,371
	<u>£</u>	<u>175,311</u>

Remissions recommended represent 62 per cent. of principal and interest of liens dealt with, or the interest and 43 per cent. of principal only.

SUGGESTIONS BY THE LANDS DEPARTMENT IN REGARD TO FUTURE SURVEYS AND THE COLLECTION OF SURVEY LIENS.

*Crown Awards.*—In view of the large concessions by remissions that have been recommended it is considered that the Lands and Survey Department should be given the opportunity of deciding whether or not a survey of the lands should be made for the purpose of defining the area awarded to the Crown.

*Future Surveys.*—(a) In consolidated areas provision for the payment in advance of the cost of surveys should be made. Prior to survey the Chief Surveyor should report upon the approximate cost of the work contemplated, taking into account the use of old surveyed lines or computed boundaries.

(b) In areas not under consolidation applicants for partition should pay all existing charges due on the block to be partitioned, and, in addition, deposit with the Court the estimated cost of survey necessary to give effect to the partition as ascertained by the Chief Surveyor, who shall take into account what old work can be adopted or computed.

*Survey Liens, Accounts, and Records.*—It is considered that the collection of existing liens be transferred from the Lands and Survey Department to the Native Department. This will necessitate the transfer to the Native Department of all books and records incidental thereto. The Chief Surveyor to retain the custody of all maps.

J. H. O'DONNELL.  
R. J. KNIGHT.

## INDIVIDUAL REPORTS OF SUB-COMMITTEES.

## NORTH AUCKLAND SURVEY LIENS COMPROMISE: REPORT OF SUB-COMMITTEE.

The total amount involved in this compromise is £50,056 3s. 3d., being—Principal, £31,451 18s. : interest, £18,604 5s. 3d.

This amount is owing over the following districts:—

County.	Consolidation Scheme.	Lien Due.					
		Principal.		Interest.		Total.	
		£	s. d.	£	s. d.	£	s. d.
Mangonui .. ..	} Mangonui ..	3,881	0 2	2,241	2 8	6,122	2 10
Whangaroa .. ..		2,458	17 2	1,435	4 11	3,894	2 1
		6,339	17 4	3,676	7 7	10,016	4 11
Hokianga .. ..	Hokianga .. ..	9,463	0 8	4,602	5 10	14,065	6 6
Bay of Islands.. ..	} Bay of Islands	9,202	18 0	5,880	0 1	15,082	18 1
Whangarei .. ..		4,361	10 0	3,093	3 3	7,454	13 3
		13,564	8 0	8,973	4 4	22,537	11 4
Hobson .. ..	} Kaipara ..	705	17 6	482	11 11	1,188	9 5
Otamatea .. ..		728	4 5	477	17 1	1,206	1 6
Rodney .. ..		158	19 8	97	16 6	256	16 2
Waitemata .. ..		145	4 10	87	7 2	232	12 0
Great Barrier .. ..		346	6 6	206	14 11	553	1 5
		2,084	12 11	1,352	8 7	3,437	0 6
Totals.. ..		31,451	18 0	18,604	5 3	50,056	3 3

Owing to special features peculiar to the Kaipara area the compromise for that part has been dealt with separately, the balance of the area being taken *in toto*.

*Kaipara Area*.—Principal, £2,084 12s. 11d.; interest, £1,352 8s. 7d.: total, £3,437 0s. 6d.

## KAIPARA CONSOLIDATION SCHEME.

(Comprising Counties of Hobson, Otamatea, Rodney, Waitemata, and Great Barrier.)

This scheme is peculiar in that the area per head of Maori population is smaller than in any other northern scheme, being about 11 acres per head. Consequently there is greater difficulty to find a *quid pro quo* in spare land for awarding to Crown in settlement of charges (surveys, rates, &c.) without encroaching unduly upon areas urgently required for their maintenance and betterment, the area of good land remaining being little—chiefly small village holdings.

Selling in the past brought this position about, thus leaving with Natives now a residue barely sufficient.

The major part of this residue is of poor value, being mostly gum lands not able to stand heavy charges.

County Councils have compromised rates on the low basis of one-sixth and one-seventh of amount.

Development of the areas will require additional overhead finance in way of assistance to Natives. Natives are also a tribe difficult to handle, making development more difficult.

The Chief Surveyor considers 1s. 3d. per acre not an unreasonable burden, but as there is so little available spare land for the *quid pro quo*, and, as it is desired that no charges should be carried on to the Natives' sections, under the special circumstances an offer is made for Crown to accept one-quarter (£511 10s.) of the principal of survey lien, which is approximately 7½d. per acre, and which involves the writing-off of the whole of the interest (£1,329 8s. 4d.) and three-quarters of the principal (£1,534 11s.).



This basis is recommended for adoption. For the above facts we have relied on the statements of the consolidation officers of the Kaipara District.

*Summary of Position :—*

County.	Survey Lien.	
	Principal.	Interest.
	£ s. d.	£ s. d.
Hobson .. .. .	705 17 6	482 11 11
Otamatea .. .. .	696 7 0	457 11 8
Rodney .. .. .	158 19 8	97 16 6
Waitemata .. .. .	138 10 4	84 13 4
Great Barrier .. .. .	346 6 6	206 14 11
	2,046 1 0	1,329 8 4
Total .. .. .	3,375 9s. 4d.	

Offer is for the Crown to receive land to value of £511 10s. and for a remission of balance—viz., £2,863 19s. 4d. The land offered to the Crown is part Pouto 2E 2, approximately 1,700 acres.

*Mangonui, Whangaroa, Hokianga, and Bay of Islands Consolidation Schemes.*

(Comprising Mangonui, Whangaroa, Hokianga, Bay of Islands, and Whangarei County lands and Native lands in the Town Board areas therein situate.)

The total of such charges over the above areas is £46,619 2s. 9d., being—Principal, £29,367; interest, £17,251 16s. 9d.

With the exception of Whangarei, the population of these five northern counties is composed almost equally of pakehas and Maoris, the Maori population of the area being about 13,000, the density being greatest in the Hokianga County.

The Native land (in common with all land) is of a very variable nature, with a large area of poor country, now looked upon as waste land. Northern lands generally are difficult and costly of development, and cannot stand too great an overhead of charges in addition to the cost of development.

The position as regards survey liens is briefly set out hereunder: Total area Native lands, 447,742 acres; area under lease included, about 44,391 acres.

The blocks subject to lien are distributed all over the area, and comprise approximately half the total, the lien due thereon being—Principal, £29,431; interest, £17,056.

Those lands against which lien has already been discharged represent in the main the better quality areas, which have been productive of revenue to meet the charge.

The lands remaining with liens due are in the main the poorer-class lands and undeveloped areas, the cost of bringing in will be very heavy.

The land affected is chiefly of a class varying in value from about 2s. 6d. to £2 per acre, and it is considered—

- (1) That, having in view other liabilities, future survey costs, rate charges, the heavy development cost already referred to, the maximum survey lien charged on any land should not exceed 5 per cent. of the unimproved value. All amounts in excess of that percentage to be remitted.
- (2) That lands valued at 15s. per acre and under (unimproved) should be totally relieved of all existing survey liability, also lands in the nature of reserves (historical, communal areas, *wrupas*, &c.).
- (3) On the basis suggested it is estimated that £11,000 would remain due, to be satisfied by an award of land of that value to the Crown, leaving the balance of £35,937 to be remitted. The £11,000 to cover the remission of all Crown liens (*i.e.*, possible omissions in the Schedules are included), including private liens taken over.

In liquidation of Crown surveys as comprised the following areas are offered tentatively to the Crown :—

Bay of Islands and Whangarei Counties—

Motatau No. 2, Section 19 (part), excepting thereout parts adjoining Sections 1, 2, and 4, 4A 3, 4B 3. Estimated area, 1,300 acres.

Motatau No. 2, Section 20 (part), excepting thereout part north of Marohapa Trig. Estimated area, 2,300 acres.

Motatau No. 2, Section 26 (part), excepting thereout eastern portion. Estimated area, 500 acres.

Motatau No. 2, Section 40 (part), excepting thereout part west of railway. Estimated area, 1,000 acres.

Motatau No. 2, Section 41. Estimated area, 651 acres.

Motatau No. 2, Section 65 (part), excepting thereout eastern portion and small southern portion. Estimated area, 2,000 acres.

Punaruuku No. 2 (subject to verification value of timber). Estimated area, 1,302 acres 2 roods.

Parts Tutaimatai, Ngaiotonga, and Waikare Blocks desired for scenic purposes on Russell tourist route. Estimated area, 600 acres.

Waihaha 1c (part), to include Kauri Rika Forest. Estimated area, 500 acres.

Punakitere 2B 9 and 2B 8I (part). Estimated area, 1,000 acres.

Pipiwai 2 Section 19, 2 Section 20 and 2 Section 23 (parts). Estimated area, 1,000 acres.

Maungapohatu North (subject to special valuation *re* timber). Estimated area, 1,314 acres.

Hokianga County—

Kahakaharoa (part), (subject to verification of valuation). Estimated area, 4,000 acres.

Manukau A. Estimated area, 654 acres.

together with other areas possibly in Paremata-Mokau, Motatau 3, Maromaku, Kaikou B 1 and B 8, Punakitere 2B, Kohatutaka 6B 2, Whakaterere-Manawakaiaia, Parengarenga, Pakohu, of a value sufficient to make up the balance (if any) of the amount of the compromise of £11,000, such areas to be defined later when the definite vacancies therein have been sufficiently ascertained under consolidation proceedings.

J. THOMSON.	J. J. DILLON.
WM. COOPER.	WM. TAYLOR.
M. V. BELL.	O. A. DARBY.

12th November, 1930.

#### SURVEY LIENS ON LANDS WITHIN THE KING-COUNTRY CONSOLIDATION SCHEME.

##### REPORT OF SUBCOMMITTEE WITH REGARD TO PROPOSALS FOR EFFECTING DISCHARGE OF SURVEY LIENS.

Subcommittee comprising Messrs. J. H. O'Donnell and R. J. Knight (Lands Department), and Messrs. G. P. Shepherd and P. H. Jones (Native Department).

10th, 11th, and 12th November, 1930, at Wellington.

1. Each series within the consolidation scheme shall be treated separately, consideration being given to the value of the land and its ability to pay.

2. In order to arrive at an equitable basis for consideration of the question of the payment of survey charges and liens on Native lands within the district comprised in the King-country Consolidation Scheme, we have endeavoured to investigate the position from the standpoint of the value of the various blocks of land and their capacity to bear the burdens imposed on them, and in arriving at our recommendation we have taken as a basis that the amounts which the various blocks might be asked to carry shall not exceed a sum representing 5 per cent. of the unimproved value of the land, with a maximum amount of 2s. 6d. per acre and a minimum amount of 1s. per acre: Provided that no charge shall be increased beyond the amount actually due thereon, and that all charges or amounts of £1 and under, found to be due on the land after the application thereto of the above basis of settlement, shall be wholly remitted; and provided further that the survey charges shall be wholly remitted where the value of the land on which the survey costs are charged does not exceed the sum of 15s. per acre.

We are of opinion that where any block of land shall be handed over or transferred to the Crown in satisfaction *pro tanto* of survey charges within a consolidation scheme, the Crown will discharge the survey lien due on the block so handed over, and give credit on account of other survey liens to the full capital value of the block so handed over.

We have not had the opportunity in the time at our disposal of ascertaining definitely the proportion of the whole amount due for survey charges and liens on the blocks included in the King-country consolidation which would be remitted under the basis recommended by us, but in those cases actually worked out in detail by us it would appear that on the average the remission recommended amounts in the aggregate to two-thirds of the sum due for principal and interest. We therefore beg to make a general recommendation that two-thirds of the sum due for principal and interest combined be remitted, leaving one-third to be paid for by the owners of the lands affected in such manner as may hereafter be arranged between the various lands within the Consolidation Scheme.

The amount due for principal is £12,854 10s. 6d. and for interest £6,439 7s. 9d., making a total of £19,293 18s. 3d.; the suggested remission amounts to £12,862 12s. 2d., leaving the balance due at £6,431.

3. The amounts found payable to the Crown to be liquidated in cash or land, or partly by one method and partly by the other.

4. The Government value of the land to be taken as the basis of assessment for the purposes of paragraphs 2 and 3.

5. That some policy shall be formulated whereby provision should be made for payment in advance of the cost of future surveys both for the purposes of partition of Native lands and for definition of areas vested in Natives on consolidation.

6. Upon the survey charges being satisfied in the manner recommended by us, or upon any other basis which may eventually be adopted by the Government, the liens to be extinguished.

J. H. O'DONNELL,	} Members of Subcommittee.
R. J. KNIGHT,	
G. P. SHEPHERD,	
P. H. JONES,	

*Separate Note by Messrs. O'Donnell and Knight.*—With reference to paragraph 3, we consider that the situation of the land should be approved by the Minister of Lands or by the Chief Surveyor of the land district in which the land is situated.

J. H. O'DONNELL.  
R. J. KNIGHT.

## Summary of Series.

Series.	Number of Owners.	Area.		Valuation.			Rates due under Compromise.	Survey Charges.				
				Capital Value.	Unimproved Value.	Improvements.		Principal.		Interest.		
		A.	R. P.	£	£	£	£	s. d.	£	s. d.	£	s. d.
Waitomo ..	15,409	270,422	0 16-35	754,639	{ Owner 394,634 Lessee 13,408	228,939 117,658	} 8,828 10 0	7,980 16 3	} 3,829 17 3			
Otorohanga ..	6,871	91,600	0 14-6	469,746	{ Owner 273,476 Lessee 14,085	120,028 62,157				} 1,984 7 6	2,487 2 4	} 1,195 7 5
Kawhia ..	3,314	33,313	0 19-1	98,624	{ Owner 51,735 Lessee 89	39,163 7,637	} 1,897 0 0	1,781 14 0	} 1,170 4 6			
Hauaroa ..	986	11,789	1 8-56	156,615	{ Owner 74,973 Lessee 3,971	38,751 38,920				} 1,525 0 0	604 17 11	} 243 18 7
Totals ..	26,580	407,124	2 18-61	1,479,624	{ Owner 794,818 Lessee 31,553	426,881 226,372	} 14,234 17 6	12,854 10 6	} 6,439 7 9			

Total owners' interest, £1,221,699; total lessees' interest, £257,925.

N.B.—There are many blocks comprising the above totals on which no survey charges are owing.

## SURVEY LIENS ON NATIVE LANDS.

## REPORT OF SUBCOMMITTEE DEALING WITH LANDS IN THE TAIRAWHITI DISTRICT.

(Subcommittee comprising Messrs. Shaw and Primrose (Lands Department), and Judge Carr, Messrs. Harvey, S. E. Swift (Native Department).

1. (a) *Mohaka-Waipapa*.—This scheme affects poor-quality land, where the drop in values and the proved necessity of developing the lands and the settlement of the owners at a favourable figure will offer a fair opportunity of making good. It is recommended that all interest and at least two-thirds of the principal be remitted. (Note.—This land is already subject to an order of the Court reducing the liability to £510.)

(b) *Mohaka-Putere-Tutaekuri, &c.* (balance, Mohaka Scheme).—This comprises a number of useless and uneconomic partitions—small areas, bad shape, want of access in some cases. A remission of all interest and two-thirds principal will afford necessary assistance towards the desire of the owners to develop and work the land.

2. *Northern Waipapa*.—To a large extent the land comprised in this scheme has failed to attract European or Maori settlers, otherwise liens would have been paid on alienation or on the land being farmed. The proposed remission of five-eighths of the total of principal and interest is in the best interests of the settlement of the land at a fair value.

3. *Waipapa*.—All old liens and interest to be written off. The new liens amounting to 3s. per acre plus interest remain on the area. The old liens cover the balance remaining of a much greater sum, and represent surveys which are no longer of any use.

4. *Tuparoa*.—There is 2s. 6d. per acre to remain on the land. This is considered the maximum amount the land can be fairly asked to pay.

5. *Tuparoa* (blocks not yet consolidated).—This area is comprised of blocks not yet dealt with under consolidation, being held in reserve for adjustment purposes in connection with the main consolidation scheme. The remission represent the interest due on the old liens.

6. *Waipiro*.—The remission in the case of the lands in this scheme represents a third of the interest and principal, and comprises small areas such as papakaingas, reserves, and other blocks incapable of bearing the burden of the charges.

W. E. SHAW. JNO. HARVEY.  
H. L. PRIMROSE. S. E. SWIFT.  
H. CARR.

## Tairāwhiti District Consolidation Schemes.

Scheme.	Survey Liens.						To be remitted.	Balance.
	Principal.		Interest.		Total.			
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
1. Mohaka Consolidation Scheme—								
(a) Mohaka-Waipapa Blocks ..	1,946	9 3	1,058	15 3	3,005	4 6	2,495	4 6
(b) Mohaka-Waihua-Putere ..	810	13 9	520	10 8	1,331	4 5	887	4 5
2. Northern Waipapu Consolidation Scheme	4,122	9 9	1,600	8 10	5,722	18 7	3,577	18 7
3. Waipapu Consolidation Scheme—								
Old lien .. .. .	595	11 8	..	..	} 3,432	0 5	1,040	9 1
New lien .. .. .	2,345	16 2	490	12 7				
Less paid .. .. .	..	..	..	..				
Balance .. .. .	..	..	..	..	3,040	9 1	2,000	0 0
4. Tuparoa Consolidation Scheme—								
Old lien .. .. .	1,291	2 1	..	..	} 5,885	3 6	1,308	15 6
New lien .. .. .	3,803	5 3	790	16 2				
Less paid .. .. .	..	..	..	..				
Balance .. .. .	..	..	..	..	3,706	15 6	2,398	0 0
5. Tuparoa (not yet consolidated)	462	4 5	221	7 8	683	12 1	233	12 1
6. Waipiro .. .. .	538	17 7	131	14 8	670	12 3	223	12 3
Totals .. .. .	15,916	9 11	4,814	5 10	20,730	15 9	9,766	16 5
					2,569	19 4		
					18,160	16 5		

## SURVEY LIENS ON LANDS WITHIN THE BAY OF PLENTY CONSOLIDATION SCHEME.

REPORT OF SUBCOMMITTEE WITH REGARD TO PROPOSALS FOR EFFECTING DISCHARGE OF SURVEY LIENS. Subcommittee comprising Messrs. J. H. O'Donnell and R. J. Knight (Lands Department), and Messrs. H. Tai Mitchell, Rangī Royal, Tiwēka Anaru (Native Department).

1. Each series within the consolidation scheme shall be treated separately, consideration being given to the value of the land and its ability to pay.

2. In order to arrive at an equitable basis for consideration of the question of the payment of survey charges and liens on Native lands within the district comprised in the Bay of Plenty Consolidation Schemes we have endeavoured to investigate the position from the standpoint of the value of the various blocks of land and their capacity to bear the burdens imposed on them, and in arriving at our recommendation we have taken as a basis that the amounts which the various blocks might be asked to carry shall not exceed a sum representing 5 per cent. of the unimproved value of the land with a maximum amount of 2s. 6d. per acre and a minimum amount of 1s. per acre: Provided that no charge shall be increased beyond the amount actually due thereon, and that all charges or amounts of £1 and under found to be due on the land after the application thereto of the above basis of settlement shall be wholly remitted; and further provided that the survey charges shall be wholly remitted where the value of the land on which the survey costs are charged does not exceed 15s. per acre, and also papakaingas; but blocks under lease to pay the survey charges in full.

We are of opinion that where any block of land shall be handed over or transferred to the Crown in satisfaction *pro tanto* of survey charges within a consolidation scheme, the Crown will discharge the survey lien due on the block so handed over and give credit on account of other survey liens to the full capital value of the block so handed over.

We have not had the opportunity in the time at our disposal of ascertaining definitely the proportion of the whole amount due for survey charges and liens on the blocks included in the Bay of Plenty Consolidation which would be remitted under the basis recommended by us, but in those cases actually worked out in detail by us, it would appear that on the average the remission recommended amounts in the aggregate to approximately one-third of the sum due for principal. We therefore beg to make a general recommendation that two-thirds of the sum due for principal be remitted, leaving one-third to be paid for by the owners of the lands affected in such manner as may hereafter be arranged between the various lands within the Consolidation Scheme. The amount due for principal is £10,307, the suggested remission amounts to £6,872, being two-thirds of that sum, together with the whole of the interest.

3. The amounts found payable to the Crown to be liquidated in cash or land, or partly by one method and partly by the other.

4. The Government value of the land to be taken as the basis of assessment for the purposes of paragraphs 2 and 3.

5. That some policy shall be formulated whereby provision should be made for payment in advance of the cost of future surveys both for the purposes of partition of Native lands and for definition of areas vested in Natives on consolidation.

6. Upon the survey charges being satisfied in the manner recommended by us, or upon any other basis which may eventually be adopted by the Government, the liens to be extinguished.

J. H. O'DONNELL,	}	Lands Department.
R. J. KNIGHT,		
H. TAI MITCHELL,	}	Native Department.
T. ANARU,		
RANGI ROYAL,		

With reference to paragraph 3 we consider that the situation of the land should be approved by the Minister of Lands or the Chief Surveyor of the district in which the land is situated.

J. H. O'DONNELL,	}	Lands Department.
R. J. KNIGHT,		

WAIARIKI NATIVE LAND COURT DISTRICT CONSOLIDATION SCHEMES.  
*Survey Liens Outstanding, Auckland Land District.*

Scheme.	Series.	Total Area.		Principal.		Interest.		Total.	
		A.	R. P.	£	s. d.	£	s. d.	£	s. d.
Arawa ..	Taheke (Part)—								
	(a) Waerenga Blocks	1,218	2 0	245	19 9	71	15 6	317	15 3
	(b) Paengaroa ..	2,886	3 0	346	1 3	120	17 4	466	18 7
		4,105	1 0	592	1 0	192	12 10	784	13 10
	Rotoiti—								
	(a) Rotoiti ..	13,626	2 16	930	6 1	424	9 8	1,354	15 9
	(b) Otamarakau ..	467	2 16	62	18 7	18	9 6	81	8 1
		14,094	0 32	993	4 8	442	19 2	1,436	3 10
	Rotomahana - Pareka- rangi—								
	(a) Horohoro ..	5,388	2 36	399	6 7	35	0 8	434	7 3
	(b) Roto-Pare ..	40,302	3 15	1,484	7 8	642	2 4	2,126	10 0
	(c) Paeroa ..	2,148	1 13	110	2 9	57	16 6	167	19 3
	47,839	3 24	1,993	17 0	734	19 6	2,728	16 6	
Tuboe—									
Waiohau Te Teko ..	3,411	0 39	281	3 9	101	19 0	383	2 9	
Ngatimanawa—									
Karatia ..	13,117	1 36	1,124	19 9	333	4 1	1,458	3 10	
Ngatiawa—									
Rangitaiki ..	} 85,728	0 22	4,234	6 11	1,214	1 8	} 7,116	2 5	
Taneatua ..			130	15 9	84	14 3			
Omataroa ..			957	6 9	494	17 1			
			5,322	9 5	1,793	13 0			
Totals ..	168,296	0 33	10,307	15 7	3,599	7 7	13,907	3 2	

T. ANARU, Registrar.

WAIARIKI NATIVE LAND COURT DISTRICT CONSOLIDATION SCHEMES.  
*Survey Liens Outstanding, Gisborne Land District.*

Scheme.	Series.	Total Area.		Principal.		Interest.		Total.	
		A.	R. P.	£	s. d.	£	s. d.	£	s. d.
1. Whakatohea ..	Opape Blocks ..	22,804	0 0	1,776	7 10	748	3 9	2,524	11 7
2. Whanau-Apanui	(a) Ngaitai, Torere, and other blocks	27,456	0 0	906	18 6	396	10 8	1,303	9 2
	(b) Apanui, Tunapa- hore South, and other blocks	227,974	0 0	6,921	1 11	3,280	5 7	10,201	7 6
Totals ..	..	278,234	0 0	9,604	8 3	4,425	0 0	14,029	8 3

T. ANARU, Registrar.

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