

Commissioner Crown Land's Office,
Auckland, 31st August, 1854.

Sir,—

No. 1. C. C. Lands
Memorandum—Land
Claims 7th July, 1854.

I have the honor to transmit, for the information of His Excellency the Officer administering the Government, the enclosures specified in the margin, connected with the Land Claims, and Old Land Grants in New Zealand.

No. 2, do. do.
Quieting Titles Ordinance,
21st July, 1854.

I trust, if time will allow, that some Legislative measures may pass the General Assembly, during this Session, which will enable the Government speedily to set at rest this complicated question, which seriously retards the Colonisation of this Settlement and endangers the concord between the two Races.

No. 3 Return, Lapsed
and disallowed Land
Claims.

The most important point involved in this question relates exclusively to the Province of Auckland, and arises out of the vague and unsurveyed Land Grants, given as a temporary measure, to the Old Land Claimants by Governor Fitz Roy.

No. 4. Unsettled Land
Claims.

I think a few alterations in the Quieting Titles Ordinance might enable the Government to substitute for these indefinite Grants, proper Grants founded upon regular Surveys, to the manifest interest of the Grantees themselves, as well as of the Colony.

No. 5, Return of Old
Land Grants.

With regard to the Land Claims, I think, upon the principles mentioned in my memorandum, some Commission might be instituted to inquire into, and report upon, claims not finally decided upon with a view to their being finally dealt with by the Government.

No. 6. Return of
Unexercised Old
Land Scrip.

I fully feel the danger of re-opening claims of this kind, but it will be seen by a reference to one of the enclosures (No. 4) that many claims have not yet been settled, by default of the Government; and therefore, as it will at some time be necessary to satisfy such claims, I think a Commission of the nature referred to might be exceedingly useful, it being, however, distinctly understood that their powers of investigation do not relate to claims which have received a Governor's final decision.

I have &c.,

(Signed)

WM. GIBBORNE,
Commissioner of Crown Lands.

The Honorable the Colonial Secretary, &c., &c.

No. 1.

MEMORANDUM ABOUT OLD LAND CLAIMS AND ABOUT PRE-EMPTION CLAIMS.

Commissioner Crown Land's Office,

Auckland, 7th July, 1854.

1. The Old Land Claims have originated, before the Proclamation of British Sovereignty over New Zealand, by purchases direct from the Natives.

2. The mode adopted to settle these Land Claims is that prescribed by Ordinance, Session 1 No. 2, investigation by Commissioners, and subsequent decision thereon by the Governor.

3. The Returns appended to the Government Gazettes, of 1849, show the whole of the cases heard by the Commissioners and the subsequent disposal of such cases.

4. There are still some claims (chiefly about Cook's Straits and the Middle Island) which, though duly sent in by the Claimants, and referred to the Commissioners, have from various causes, never been advertised or, if advertised, not heard from the non-attendance of a Commissioner.

5. There are also many cases which have been heard and adjudicated; but are in dispute, also a few not acted upon.

6. I think the best way finally to settle these Claims, would be for a Commission, consisting of two or three impartial persons, to investigate such cases, with power to collect evidence, &c.; and to report thereon, such report to be binding upon the Government. I think, however, no case should be re-opened, which had received a Governor's final decision; otherwise, I fear the confusion arising from such a step, embroiling, as it would conflicting claims on the part of the Crown