

REPORT.

SYNOPSIS.

PART I.—PAST HISTORY AND PRESENT STATE OF THE LAND CLAIMS.

I.—OLD LAND CLAIMS.

1. Purchases from Natives before establishment of British Government.
Prohibited by Proclamation, 14th Jan., 1840.
Commissioners to investigate, &c., appointed by Ordinance Sess. 1, No. 2.
Ordinance Sess. 2, No. 14, disallowed.
2. Proceedings under above Ordinances.
Awards of Commissioners.
Altered by Governor Fitzroy's Commissioner.
Grants issued by Governor Fitzroy. Their imperfections.
Scrip issued by Governor Fitzroy.
3. Sir George Grey's attempts to settle these claims.
Quieting Titles Ordinance, Sess. 10, No. 4.
Declares old grants valid, under conditions.
Compensation in money or other lands to be made where land granted could not be obtained.
4. Results of the above measure.
Very few grantees adopt its provisions.
Causes which rendered it inoperative.
5. Present state of the claims and lands claimed.
Claims divided into seven classes.
State of lands affected by them.

II.—PREEMPTION WAIVER CLAIMS.

1. Governor Fitzroy waives Crown's right of preemption under certain conditions.
Proclamation 26th March, 1844 (10s. per acre fees).
Proclamation 10th October, 1844 (1d. per acre fees).

- Notice 6th December, 1844, limiting amount of lands to be bought.
Amount of land bought under respective Proclamations.
2. Lord Stanley "reluctantly recognizes" the sales.
 3. Sir G. Grey's attempts to settle the claims.
Notices of 15th June, 1846—
Stopping further purchases.
Calling for plans and surveys within three months, or claims to be quashed.
Ordinance Sess. 7, No. 22, offering compensation in Colonial Debentures, or opportunity of repurchase from Government.
 4. Lord Grey directs Government faith to be kept with claimants, so far as the law strictly demands.
 5. Sir G. Grey's consequent notices of 10th August, 1847, offering three modes of settlement to claimants—
 - i. Compliance with the Proclamations, to be certified by Attorney-General.
 - ii. Acceptance of terms of Ordinance Sess. 7, No. 22.
 - iii. New terms—purchase of lands from Government, at 5s. per acre, &c.
 6. Results of the above measures.
10s. claims, grants issued, &c.
1d. an acre claims.
Number settled by grants,
Or by compensation,
Or disallowed under notices of 15th June, 1846, and 10th August, 1847, respectively.

PART II.—MODE OF DEALING WITH THE CLAIMS RECOMMENDED BY THE COMMITTEE.

1. Appointment of a Court of Commissioners to settle claims recommended.
Why such a measure necessary.
Court should have a general discretionary power, yet its operation be guided by enactment of general rules.
Its decisions to be without appeal.
 2. Constitution of Court, &c.
Judges of Supreme Court should be included in it.
Assistant Commissioners or Surveyors to visit every district, and collect evidence, &c., as essential to ascertain wherever natives oppose claims.
Courts to be held at central places.
Lands to be surveyed.
 3. Particular rules for guidance of Commissioners.
General power in special cases of proved injustice.
No new claims to be received.
 - i. Old Land Claims.
Where grants have been issued—
Old grants to be called in and cancelled, and new issued.
Conditions of the new grants.
Amount of grants, recite grantees entitled to, and not more than one-sixth to be given where lands undisputed.
Where no grants have been issued—
Of remaining classes, which to be heard, and which not.
 - ii. Pre-emption Claims.
10s. claims virtually settled.
1d. an acre claims.
Where grants have been issued considered as settled.
Claims disallowed under notices of 15th June, 1846, and 10th August, 1847, may be reheard.
Terms of third alternative, in notice of 10th August, 1847, to be adhered to in award of lands.
Reasons.
 - iii. Completion of Title.
Governor may complete title of claimants in certain cases.
 - iv. Compensation.
Rules for compensation, where necessary to be given.
No transferable or money scrip to be issued, but specific portions of lands assigned,
Where practicable, out of land originally claimed, or out of land acquired for Governor Fitzroy's scrip.
Amount of compensation in respect of 1d. an acre claims.
When land has been sold by Government, how to be estimated.
All compensation claims to be considered before any awarded.
4. Act should be passed embodying recommendations of Committee.