

34885<sup>IN</sup> CABINET

13 Jan. 1929

VMRA-0017-24  
COMPLETED

Refer to Prime Minister

(Sgd.) F.D. Thomson  
Secy.Long-standing Native grievances:

These are

- (a) Aorangi )  
 (b) Patutahi ) Dealt with in the Native Land Act of last year.  
 (c) Waipuku-Patea)
- (d) Confiscated Lands. The preliminaries to a settlement of the grievances re these were provided for in the Act of last year. I refer to this question in detail later.
- (e) Ngai-tahu Claim (South Island). In regard to this, it is proposed to set up a Board representing the claimants after the mutton-bird season is finished. The meeting will have to be held at Tuahiwi and the personnel of the Board determined. Negotiations for settlement can then be made with the Board. (See last year's Act).

Reverting to (d) Confiscated Lands. The Commission which dealt with these matters under the chairmanship of the late Judge Sim made recommendations, of which the material ones recommended annual payments amounting to £8,600 to various tribes. The Bay of Plenty tribes are left in the cold except the tribe at Opotiki which is to receive a paltry £300 a year. The funds are for the purposes of public benefit, notably education. It was felt by the Maori Members and the late Prime Minister that the compensations recommended were inadequate, and that the Bay of Plenty tribes deserved some consideration. Mr. Coates has left a memo. on record expressive of his views. I have asked my Private Secretary to attach a copy thereof to this memorandum.

The position is then that the late Government are in favour of a generous settlement and will support us in regard to it. The Labour Members have assured me that the sum I mentioned in the House in the pre-election session, namely, Taranaki, Waikato, and the Bay of Plenty. This will also include a payment to one tribe at Wairoa (H. Bay) to whom the Commission recommended a payment of £300 a year.

From the point of view of the Consolidated Fund, the Government is being asked to assist the tribes concerned in regard to education, health, farming, and social advancement to the extent of £15,000 more a year, such sum to be administered by Boards representative of the tribes beneficially interested.

The series of Native Meetings scheduled to discuss the proposed settlements are:

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| (i)   | Wairoa             | January 19th, 1929       |
| (ii)  | Whakatane          | " 29th, 1929             |
| (iii) | Ngaruawahia        | March 15th - 18th. 1929, |
| (iv)  | Waitara, Taranaki, | April 18th. 1929.        |

I want to go to these armed with definite proposals from the Government for settlement as follows:

- (1) Wairoa: In regard to the Kauhoroa Claim to settle at £900 a year, the sum to be administered by a Board representative of the claimants for purposes of general utility to the beneficiaries.

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(ii) Whakatane: In regard to claims extending from Tauranga to Opotiki to settle as follows:-

- (a) Tauranga: £1,000 a year:
- (b) Waitaha: £350 a year to be paid to the Arawa District Trust Board, which already administers an annual sum of £6,000 in settlement of the Lakes claims. This Board has done and is doing excellent work that augurs well for the success of other proposed settlements.
- (c) Ngatiawa and Tuhoe: This is the major Bay of Plenty claim and affects the largest group. £2350 a year recommended.
- (d) Whakatohea (Opotiki): The Commission recommended £300 a year, a very inadequate amount. £900 a year is recommended.

(iii) Taranaki: The Commission recommended £500 a year. This claim had the most extensive investigations. Sir Maui Pomare is content to leave it at that figure and I am assured that the Taranaki Natives will accept it.

(iv) Waikato: The Commission recommended £3,000. This appeared to me inadequate. The Maori M.P.'s before the election recommended £4,500 at Sir Maui Pomare's suggestions. I should personally like to see it £5,000, but Sir Maui insists that historically Taranaki should be a little in advance of Waikato and that in any case if £5,000 a year were allotted to Waikato £500 of it should be appropriated to Tauranga, a tribe which suffered much for the Waikato cause.

If agreed to, Boards should be set up at each of the meetings scheduled above and preliminaries arranged for legislative action next Session.

I think that all parties in the House will be anxious to see these matters out of the way this session. I personally am very anxious to get down to bedrock with them and to have legislation in train before the end of April in case you wished me to visit the Cook Islands and Western Samoa before the session opens.

(Sgd.) A.T. Ngata  
17/1/29.

34887

WAIOMATATINI F.C.  
6th. January, 1929.

Dear Sir Joseph,

I am much obliged for your wire which relieved my mind and released me from attendance in Wellington during the current ten days. Not anticipating elevation to Cabinet rank I had made some important Maori fixtures up to the third week in March, some of a public nature, others more or less tribal and one concerned with the inauguration of the first Maori Bishop to his duties among my people here. I have also to make the best arrangements I can for the carrying on of several businesses with which I have been connected locally, sheep farming, dairying, and co-operative trading. All, I am glad to say, are going well and sharing in the prosperity of the time.

That you may know the present position of Native Affairs and the programme to be carried through between now and the next session, I give some general notes. The schemes about to be referred to are taken over as going concerns from the Coates' regime, and I have had to do with them all more or less:

1. Consolidation of titles to Native Lands. The schemes in operation are:

- (a) North Auckland covering Bay of Islands, Whangarei, Mangonui, and Hokianga Counties.
- (b) King Country, covering Waitomo, Otorohanga, Kawhia, Taumarumui, and parts of Opura and Waipa Counties, also Te Kuiti and Taumarumui Boroughs and Otorohanga Town Board.

In this connection it has been deemed advisable to set up a Commission to investigate Native leaseholds, the Commission to consist of Judge MacCormick, Metcalfe (an East Coast farmer and valuer), and Richards who was on the Deteriorated Lands Commission. I hope to submit this to Cabinet on my return so that the Commission may commence work.

- (c) Bay of Plenty, covering Native Lands between Taupo and Maketu owned by the Arawa Tribe, Native lands at Ruatoki owned by the Ureweras on which they are dairying, and Native lands between Opotiki and Cape Runaway.  
These have been partially dealt with and staffs have been created to carry the work on. Some additions is required for the Opotiki-Cape Runaway lands.
- (d) Mohaka. Four series of blocks are involved. Crown purchases need to be aggregated and the balance, the Native owned country, to be subdivided into family holdings.

- (e) Northern Waiaapu. This is the last series to be done in my own territory and takes part of Waiaapu County and the whole of Matakaoa County.

Problems that arise for consideration by the Native Department in connection with the Lands Department and Treasury relate to the writing off of a proportion of survey charges, and to the location of lands to be awarded to the Crown in lieu of survey charges and rates compromised with the local bodies. The definite proportion of survey charges determined with the Coates Administration was that in the North Auckland, King Country, and Bay of Plenty districts all interest was to be written off and two-thirds of the principal, the one-third of principal remaining as a charge to be satisfied in land. Considerable concessions are also to be made in Mohaka (owing to the low quality of the land and the relatively high cost of surveys) and minor detailed concessions in my locality here.

While each scheme has its special staff of office and field officers under the respective Registrars and Judge of the Native Land Court, it was felt that a supervising body should overlook all the schemes. Cabinet at its meeting on the 14th. of last month approved of the appointment of the Chief Judge Jones, Judge Carr, and Mr. Primrose (Lands Office).

11. Consolidation of the Native Land Laws: Coates has already approved of Chief Judge Jones and the Crown Law draftsman undertaking this work. It is remarkable, however, that the last consolidating measure was put through as one of the Acts of your own Government in 1907. Now, after 20 years, the job is once more for your administration to undertake. It remains for Cabinet to determine the remuneration of the work. I had a conference with the two officers mentioned last month and came to the conclusion that £300 would be an adequate sum for the work. Salmond in 1909 consolidated 15 years legislation. He received with those who assisted him £100, but was I think also assisted in his visit to Australia the same year. The present undertaking involves the review of 20 year's active legislation and will not be merely a consolidation. A lot done in Herries' time will have to be undone and some provision needs to be made for such departures as may be warranted to emphasise our policy. Much of the work will also have to be done in the officers' own time. I propose at any rate to submit £300 for Cabinet consideration.
111. Re-organisation of the Department and Native Land Court: One or two of the Judges are due and past due for retiring age. I wish to seize the opportunity of an extensive reorganisation of the Departmental and Court staffs. As a matter of policy the judicial functions of the Court should in practice take second place to its administrative functions. It should be forged into a more efficient machine for making possible the settlement and occupation of Native lands. I have suggested to the Under-Secretary a scheme on the following lines:
- (a) Two Judges now in charge of special districts to be relieved of those special charges and given a roving commission to clean up the heavier judicial work of the Court.
  - (b) The routine work of the Court, such as partitioning, appointing successors, probate, exchanges and so forth, has been much reduced by the consolidation schemes now in progress and should not occupy the time and attention of highly paid men. It should thus be possible to promote two or three men to administrative positions at, say, £600 a year instead of appointing Judges at £750 to £800 a year.
  - (c) Where a particular circuit is staffed with keen, sympathetic officers the lending of money to Maori farmers and the supervision of the expenditure of these monies are in experience found to be best undertaken by the Maori Land Boards and not the Native Trustee. The funds of the Native Trustee are, as a matter of fact, the surplus funds of the Maori Land Boards.



I have ideas about the Native Trust Office which I would like to submit to you personally as soon as the opportunity offers.

- (d) Maori officers of long service and proved ability are not getting the chance in the service that they deserve, and this position will need earnest consideration.

IV. Long-standing Native Grievances: These

- (a) Aorangi }  
 (b) Patutahi } Dealt with in the Native Land Act of  
 (c) Waipuku-Patea) last year.
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The position is then that the late Government are in favour of a generous settlement and will support us in regard to it. The Labour Members have assured me that the sum I mentioned in the House in the pre-election session, namely, £250,000 or an annual payment of £12,500 is inadequate. I have carefully considered the matter and hope Cabinet will approve of an annual payment of £15,000 for purposes of general benefit to the tribes concerned, namely Taranaki, Waikato, and the Bay of Plenty. This will also include a payment to one tribe at Wairoa (H. Bay) to whom the Commission recommended a payment of £300 a year.

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- (V) Reform of Parliamentary Procedure: I am preparing proposals to submit to you when I come down, which, if approved by yourself and other Ministers, may be submitted by memorandum to the Recess Committee set up last month. You can then decide when to convene the members of the Committee.
- (VI) Cook Islands and Samoa: I am making myself familiar with the general conditions in the former group so far as it is possible to do so from extent legislation and departmental reports. Fortunately, the Journal of Polynesian Society gives full information of the history and traditions and of the ethnology of the Cook Group. I hope also to have the assistance of Judge Ayson, the Resident Commissioner, due in Wellington on the 14th. instant. I am informed that Cook Islands affairs are in good shape.

You expressed the possibility that you may want me to visit Samoa on behalf of the Government. I am not frothing to go down, but if you deem it advisable I am prepared to do so. In such case it would be a good thing to make one tour of the Cook Group and Western Samoa. Coates had intended going across this autumn and suggested taking the Maori Members. My idea is that representative Maoris should accompany the Minister, and provision should be made for, say eight, two from each electorate. If relationships could be established between leading Natives of each branch of Polynesians under New Zealand rule I am sure that reactions would follow favourable to good and peaceable government. Such a tour at the expense of the Government would be a better investment than the Parliamentary party which toured in 1921.

I have been for two years of the opinion that we are over-rating the status and importance of Samoa. Because its control came to us under the Peace Treaty and as a mandate from the League of Nations we have thought it necessary to play up to the dignity of the mandate by creating a special Ministry of External Affairs with all the paraphernalia of a special Under-Secretaryship and so on. Samoa in the limelight became the goal of ambitious men from the Public Service, not selected for experience or high ideals of serving the Samoans, but attracted by a desire to further their own ambitions. This is apart from the military tone of the administration imparted to it by Allan Bell, and Nosworthy. In Coates' time I advocated the levelling down of the nature and character of the Samoan administration to what has answered so well in the Cook Islands and with our own people here. I thought that Cook Islands and Samoa both should be attached to the Native Affairs portfolio. I presume that it could not be effected right away for political reasons. It was a big step to take the job away from Nosworthy and attach it to the Prime Minister, who was also the Native Minister.

I am putting this quite impersonally, but I think that the Native services should be co-ordinated from New Zealand to Rarotonga and Samoa and the whole controlled by the Native Minister. The land systems and customs are practically the same, and who should understand better the making of them than those trained on the Native Land Court staff in this country? We have found it the wisest thing to send Judges down from the Native Department to run the Cook Islands, Gudgeon, Palmer, MacCormick, and now Ayson. The only time there was trouble was when a departure was made and a Magistrate sent down with no Native experience. Tate made a satisfactory job of Samoa because of the three administrators preceding the present man he was the only one that had an extensive experience of Maori customs and ways of thought here: Jones, the C.J. of the Native Land Court, or MacCormick, or Rawson, or Carr would have administered Samoa with little trouble.

It is reasonable, I think, to urge that junior officers in the Native Department should have in the line of promotion a turn in Cook Islands and in Samoa. The Public Service in Samoa is not benefitting by New Zealand's experience with the Maoris of New Zealand, laboriously acquired over a century, or with the Maori of Rarotonga, covering thirty years. On the other hand that service is wasting much of its time in relearning old lessons through the practical experience of making many and costly mistakes, that might easily have been avoided if we had gone armed with Maori experience.

Take Health — I drafted the model by-laws for the Maori Councils in 1900 for the late Sir James Carroll. When Rarotonga came under Carroll the model by-laws became the foundation of Cook Islands ordinances. They have since been incorporated in Samoan ordinances, but with

just the modifications that we carefully avoided here from our experience of Maori psychology. We avoided the head taxes that have led to so many banishments in Samoa and now to Tamasese's imprisonment.

Has any Maori been imprisoned in this country for non-payment of his rates or taxes? Its not done here. Why do it in Samoa and press it under the guise of upholding the law?

Lambton Quay is almost snakelike in its curves because it has gradually grown so. The most obvious thing a newly arrived town-planner would say about it would be that it should be straightened. Well, Richardson's surveyors found Tamasese's hedge protruding a bit over the ideal line for town-planning in Apia and proposed to remove the hedge, which had been there long before the New Zealanders occupied Samoa, and Tamasese the scion of a royal line. Tamasese's protest was brushed aside as beneath contempt and the hedge cut down. Any interference with the execution of the law was deemed a breach. If it had been a pakeha's hedge the road line would have conformed to it. A little thing but eloquent of the kind of administration we have had and probably still have in Samoa.

I think it fair to you and to myself, when you contemplate sending me to Samoa, that you should know these views. Further, I would break the Mau movement by cancelling all Native banishments and Tamasese's sentence, by recalling Nelson to Samoa, and putting them all on honour to straighten affairs in Samoa on conditions (a) that the Government policy in regard to the marketing of copra continue with modifications; (b) that the Samoans contribute a reasonable sum towards the maintenance of the Health services; and (c) that, if in two years good government and orderly administration of affairs are re-established, Samoa should have more representation in the Legislative Council at Apia.

The time should then be ripe to have, say two Rarotongans and three Samoans attached in an advisory capacity to the Legislative Council in New Zealand. They would sit in the Council but without a right to vote except on measures specially relating to the Cook Group or Samoa.

#### VII.

The Settlement of Maoris on land: I spent the greater part of the Christmas holidays in a closer study of the country about Taupo and Rotorua and its possibilities for Maori settlement. A crown block near Taupo township and some Native land on the Atiamuri road just out from the Hemo Gorge at Whakarewarewa would, if available, just suit the scheme. Between 180 and 220 families could be settled there on sections that could be broken into dairy farms carrying from 30 to 50 cows each. I cannot give details here, but hope to have the opportunity of discussing them with you and Forbes on my return. The scheme is not at all contingent on railway facilities being provided, but is dependent on some public works expenditure in roading and bridging and on the active assistance of the lands and Agricultural Departments.

I hope your health is standing up to the vast amount of work you have to do. The Reform papers are happy once more, that they can cackle in chorus about your financial policy. Their greatest disappointment is that you have been able to bring the State Advances up to date and bridged over the unemployment difficulty so readily. For the rest, the season and the world markets are with you.

Yours sincerely,

(Sgd.) A.T.Ngata.