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PRIME MINISTER'S OFFICE,
WELLINGTON.

7th. December, 1928.

MEMORANDUM

in re

NATIVE LAND COMMISSION'S RECOMMENDATIONS.

A. NATIVE LAND CLAIMS COMMISSION (1920-21)

The matters arising from the Report of the Native Land Claims Commission of 1920-21, which still require consideration and settlement, are as follows:

- (1) Waipuku-Patea Claim: The Commission recommended a specific payment of £4,325. A suggestion that the payment should be spread over four years is under consideration.
- (2) Aorangi and Patutahi Claims: In order to assist the Government in arriving at the amount of compensation that should be paid to the Natives interested in settlement of these claims Section 45 of the Native Land Amendment and Native Land Claims Adjustment Act, 1928, was enacted empowering two Judges of the Native Land Court to assess the amount of compensation payable and the form and method of payment.
- (3) Ngai-tahu Claim: The Commission recommended specifically the payment of the sum of £354,000. This sum is made up as follows:

12,500,000 acres at 1½d. = £78,125 less	
£2,000 already received by the Natives	£76,125
72 years' interest at 5 per cent	274,050
Contribution to heavy legal expenses incurred by the Natives in the prosecution of the claim.	
	<u>3,825</u>
	<u>£354,000</u>

With all due deference to the Commission's finding, I think the question of the rate of interest allowed should be reviewed before any settlement is decided upon, as in the circumstances it seems to me to be on a somewhat high scale.

The amount of compensation after re-assessment and the form and method of payment are questions which will have to be determined between the Government and the Board to be appointed under the provisions of Section 20 of the Native Land Amendment and Native Land Claims Adjustment Act, 1928.

B. CONFISCATED NATIVE LANDS COMMISSION (1926-27)

The matters arising out of the Report of the Confiscated Native Lands Commission of 1926-17 and requiring consideration and settlement are summarised as follows:

The Commission recommended the payment to the Natives

(a)	In re Taranaki Confiscations	of	£5,000	a year,
(b)	" " Waikato	"	"	3,000 " "
(c)	" " Whakatohea	"	"	300 " "
(d)	" " Kauhoroa	"	"	300 " "

£8,600 a year

In regard to Petition No. 37 from the Taranaki District for compensation for loss sustained by the looting of personal property during the Parihaka expedition, one payment of £300 was recommended.

With regard to Petition No. 7 from the Bay of Plenty district, the Commission recommended that some land in the locality of Matata should be given to the Petitioners.

Representations were made to me last Session by the four Maori Members of Parliament in connection with these recommendations. They recommended a distribution as follows:

Taranaki Confiscations	-	£5,000	a year
Waikato	"	4,500	" "
Kauhoroa	"	400	" "

Apart from the specific recommendations of the Commission and the increased amounts in the cases of the Waikato and Kauhoroa Confiscations, I am of opinion that the Bay of Plenty claims should be recognised, because it seems to me that the Commission did not give adequate consideration to the position of the Bay of Plenty Tribes under the confiscations which deprived them of so much of their lands, especially in view of the fact that the source of the disquiet and rebellion was in the grievances which led to the wars in Taranaki and Waikato, and that the funds to be granted in their cases should be on as liberal a scale as the Crown can afford.

GENERAL REMARKS.

In order to meet the obligations of the Crown under the recommendations of the two Commissions, I considered it advisable that provision should be made to capitalise the amount of these annual payments. The Treasury has been asked to go

into this phase of the question pending the assessment and re-assessment of compensation in the cases hereinbefore referred to.

Looking at the whole matter from a national standpoint and with due regard to the circumstances of the backward tribes, whose backwardness was due to the effect upon them of the confiscations and non-recognition of their rights, I am of opinion that the sooner the obligations of the Crown are met, the sooner will the feeling of silent resentment and passive resistance to progressive movements on the part of passive resistance to progressive movements on the part of some of our Maori Tribes disappear and we will see the Maori once again falling into line with us in the march of progress.

It must be remembered that in years gone by these tribes grew and provided for themselves, renewed incentive can only be attained by comprehensive provision carefully managed.

The Govt. have considered the position and the foregoing is their considered opinion.

(Sgd.) J.G.Coates.