

periods of twenty years subject to the payment during the term thereby to be granted of the best and most beneficial yearly rent to be incident to the immediate reversion of the premises that can reasonably be had at the making of such lease. This system, while securing a lengthened term to the occupants, will give an opportunity for periodically re-assessing the rent at a sum more proportionate to the increased value of the property than could be obtained if the lease was issued at once for the full term of years.

It is quite impossible in a young country, where the value of property fluctuates to the same extent as it does in New Zealand, to fix a fair rental for a lease to be issued presently for a term of sixty years. If an attempt to do so was made, it would probably result in one of two things—either in an exceptionally favourable or unfavourable arrangement for the persons concerned. In the one case, the owner would suffer a loss by his property being let at too low a rental; in the other, the tenant would suffer through an oppressive rent.

In some respects long leases may be considered disadvantageous to the owner, but the system proposed above would subserve the interests of both landlord and tenant.

A new feature has been introduced into the provisions of the new Bill—namely, the power conferred on the Governor, with the consent of the persons beneficially interested in land let on long leases, to convert the renewable leasehold tenure into a tenure in fee, subject to the payment of an annual rent charge in perpetuity, in cases where it would be beneficial so to do. The advantage of this plan, if adopted, would be the fixity of tenure secured to the tenant, coupled with the security of a certain and ascertained income in perpetuity to the owner. It is a more preferable mode to selling the land and investing the proceeds in other investments, as the persons beneficially interested would have a paramount security over the property for the payment of the annual rent-charge.

It is proposed, amongst other changes, to repeal clauses 35, 36, 37, 38, and 39 of the Act of 1873, empowering the Governor to appoint competent persons to ascertain the assent of the owners to bring land under the operation of the Act, and to make it compulsory that all transactions of this nature shall be done through the Native Land Court. It is also further provided that, before any land is brought under the operation of the Act, a scheme of management shall be framed setting forth the wishes and intentions of the owners in regard to the future administration of such land.

The Court is also required to determine the proportionate quantity to which each or all of the owners are severally entitled, with a view to assist the Commissioner to determine the proportion of income payable to each; and it is also further provided that, in all cases where doubts may arise in respect of the persons beneficially entitled to the proceeds accruing from any lands under the operation of the Act, it shall be the duty of every Native Reserves Commissioner to refer the question of succession to the Court.

It is proposed, also, to repeal clauses 45 and 46, and make other provisions in lieu thereof.

Also clauses 48 and 49, as the provisions contained therein usurp the functions of the Native Land Court, and are a repetition, to a certain extent, of clauses 89, 90, and 91 of "The Native Land Act, 1873." Should it be deemed advisable that such power should be granted by the Assembly, it would be better to authorize the Court to deal with the cases comprised in the aforesaid clauses, and for that purpose the necessary provisions might be tacked on to the Native Grantees Succession Act proposed to be passed this session.

Clauses 52 and 62 are also to be repealed.

With regard to the regulations to be made by the Governor under the provisions of the Act, it is highly important, for the management of the Native Reserves estates, that general directions should be laid down for the guidance of the officers in whose custody the properties may be placed, so as to introduce a regular principle of managing them for the future. I beg, therefore, to submit the following points for consideration.

The general principles upon which the Native Reserves ought to be let are as follow:—

1. That the lands should be let with a view to secure an immediate return, combined with the creation of a permanent and respectable property at the best improved rent which can reasonably be obtained at the time, the sufficiency of rent to be governed by the consideration on whom the onus of repairs or the cost of improvement is thrown; keeping in view, also, that the requisites of a good tenant are to be regarded, as well as the mere amount of rent to be received.

The length of leases granted ought to vary with the description of property proposed to be placed on the ground, or the uses to which it is devoted.

The following scale may serve as a general guide, subject to such variations as local circumstances may require, viz.,—

1. A lease for twenty-one years to be granted for arable or pastoral purposes, conditionally that the tenant makes permanent improvements on the property, within seven years from the date of his lease, to the value of £1 for every acre of such land. The whole of the property to be improved and cultivated during the currency of the term, and left enclosed with a substantial fence. The rent to represent a fair percentage, all circumstances considered, upon the estimated value of the land at the date of granting the lease.

2. A lease for building purposes for twenty years, renewable for a further period of twenty years, with covenant to build and keep in substantial repair wooden houses to the value of _____ years' purchase of the annual rent, if the tenant, before the expiration of the first term, should have erected wooden buildings of the required value, or have expended such sums in the improvement of any building which may be standing on such premises which shall be considered adequate to the required value.

3. A lease for twenty years, renewable for two further periods of twenty years, provided the tenant shall erect buildings of brick or stone, to the value of _____ years' purchase of the annual rent, during the currency of the first term.

It should also be laid down, as a general rule, that the Trust will not undertake to repair, or improve, or receive any such improvements at valuation at the expiration of the lease.

Some such terms as the above might constitute the general rules, but many cases would require to