

rents were reduced, they being, in the opinion of the Public Trust Department, after full inquiry, unduly high. The reduction was for five years, of which about three have expired.

As regards the transactions above mentioned, it is contended, on the part of the Natives, that the regulations of February, 1883, were invalid, as being in excess of any authority given by law, and that the securing of improvements to the lessees was illegal. In their petition the Natives as regards these lands also complain as follows:—

That, owing to the land being leased, they have insufficient land for cultivation. That the Public Trustee has reduced the rents without the consent of the Natives. Generally, they object to the lands being administered by the Public Trustee; and as regards these lands they ask that "The West Coast Settlement Reserves Act, 1881," "The West Coast Settlement Reserves Act Amendment Act, 1884," "The West Coast Settlement Reserves Act Amendment Act, 1885," and "The West Coast Settlement Reserves Act Amendment Act, 1887," may be repealed.

The Natives ask for full control over the lands, and that no lease shall be given without their consent, or be for more than twenty-one years, or contain compensation clause. They ask that no negotiations may be lawful for leasing, exchange, or occupation of any Native land unless the land is held under Crown grant or certificate of title to not more than twenty Natives.

Your Committee, having given its most careful attention and earnest consideration to the reference made to it, has arrived at the conclusion stated below. The Committee believes that its duty under the terms of the reference—namely, to consider "the rights, legal as well as equitable," of the lessees and the Natives, is to determine what is substantially just to both parties. In that belief the Committee is of opinion,—

That the Public Trustee's leases were given in good faith and by public tender, under the regulations of 1883, and that the compensation clause to the lessees did not involve any injustice to the Natives interested.

It must also be borne in mind that most of these leases were issued after the Legislature had, in the Acts of 1883 and 1884, given its sanction to compensation for improvements.

The Committee recommends that any doubt as to the validity of the leases ought to be removed by validating the regulations of February, 1883, or otherwise.

The Committee is further of opinion that nothing could be more injudicious in the best interest of the Natives than to remove the administration of these valuable estates from official control, whether of the Public Trustee or of some equally responsible authority.

The Committee has satisfied itself that there is actually sufficient land still available for the occupation of the Natives interested when required.

Your Committee recommends that, in order to satisfy every possible demand for the fullest consideration before rents are reduced in future, no continued or future reductions should be made until a report of the valuations on which such reductions are proposed to be based has been laid before Parliament within ten days of its meeting.

The management by the Public Trustee has been impugned by some of the Natives interested in these reserves which have been leased by him, but your Committee has been unable to discover, from the evidence brought before it, any foundation for this complaint. The officer acting on behalf of the Public Trustee has had a difficult task to perform, and he appears to have acted with zeal and judgment.

#### *The Confirmed Leases.*

These originated in leases granted by the Native owners to Europeans. The Act of 1881 and subsequent legislation authorised the confirmation of such leases on report, by any Commissioner appointed, that they were made *bonâ fide*. The leases confirmed under that authority are the subject of this part of your Committee's report. The Act of 1883 enacted that rents under confirmed leases should be paid to the Public Trustee, and by him distributed to the Natives interested. The Act of 1884 made an extensive change in the position of these leases. It authorised the surrender of confirmed leases, and the granting, in place of them, by the Public Trustee, of new leases, at rents to be computed on the improved value of the land. It is contended that, notwithstanding the use of these words, it was right to amend the provision in the way done by the Act of 1887 (to be presently referred to), and that the provisions of section 8 of the Act of 1884 would apply to the new leases. As a fact, Mr. Mackay, the then Reserves Trustee, at a meeting with a number of the "confirmed lessees" at Patea, on the 9th December, 1884, intimated to them that section 8 of the Act of 1884 would so apply. That section specifies that leases might be made for thirty years, and with covenants and conditions considered fair by the Public Trustee.

It may be mentioned that the Act of 1884, section 7, required the Public Trustee, so far as conveniently might be, to consult and obtain the assistance of one or more Natives best acquainted with the circumstances of any reserve dealt with, and to act as far as possible in accordance with the wishes of Natives interested in any reserves; and in section 13, already referred to, the new leases to be given in exchange for those surrendered, were, besides the provision for the new rental to be on the improved value of the land, to be granted on terms to be agreed upon between the Public Trustee, the Native owners of the land, and the lessees. It is stated that, owing to the number of Natives interested, these provisions must necessarily be inoperative, and there seems sufficient ground for taking that view as correct. The Act of 1887 provided that the new leases to be given in place of the surrendered ones should be at a rental computed not on the "improved value" of the land as by the Act of 1884, but on the value of the land "less the value of any improvements thereon"—that rental to be ascertained by arbitration. The regulations of 1883 made under the Act of 1881, under which it is contended that new leases were to be given in place of those surrendered, provided that the value of the improvements should be secured to the lessee in case at the end of the term he should not be successful in competing for a renewal—in fact, a Glasgow lease

The practical outcome, then, of the legislation and the interpretation given to it may be con-