

1260. He does not know how the Government got possession of it?—No; neither he nor any of his people.

1261. And yet the Government have given a Crown grant for it to the timber company?—The timber company have got a Crown grant; I do not know how.

1262. They must have got it from the Government?—The Government must have given one to some one, and it has passed on to the company.

1263. And the land has never been through the Native Land Court?—Never. Hohaia Patuone sent me the plan, and I have had different letters from him on the subject, one letter reaching me on Friday last. I feel as certain as that I am alive that that old man would not lie if he knew it.

1264. This case happened about twelve months ago?—Yes, nearly twelve months ago.

1265. Is there anything else you would like to say, Mr. Lundon?—In my opinion the result of this Commission will be to influence a great change in the Native-land legislation of New Zealand. I would ask the Commission, therefore, to draw attention in their report to this material point: that if the Natives are not to be allowed to individualise their title to the land, they ought, nevertheless, to be allowed some representation for the properties they hold.

1266. You mean that they be allowed to register on the ordinary electoral rolls as freeholders?—Yes; they used to have that right, because when their land had passed through the Court they were registered; but the Hall-Atkinson Government altered that, by restricting the right of registration to land held in severalty. I did not know the meaning of the word at the time, although I did know what the effect would be. The Government laughed, in the House, when I asked them to tell me the meaning of the word “severalty,” but I knew the effect of it would be to disfranchise the Natives, and it has done so.

1267. The Commissioners are very much obliged to you, Mr. Lundon. Some of the general wrongs and sufferings of the Natives to which you have referred coincide with the statements of other witnesses. Some of the instances you have given are new, and illustrate important principles.

NEW PLYMOUTH, 18TH APRIL, 1891.

MR. OLIVER SAMUEL examined.

1268. *Mr. Rees.*] You are a barrister and solicitor, practising in Taranaki?—Yes.

1269. For many years, up to last year, you were a representative of the district in the General Assembly?—Yes. During the time I was a representative for the district I naturally became aware of nearly all the grievances of both Europeans and Maoris in connection with Native lands in this district. As you are aware, this district is peculiarly interested in that question, inasmuch as the Native lands within its bounds are, for the most part, held under the West Coast Settlement Reserves Acts, and a large portion of these lands is administered by the Public Trustee as trustee for the Natives. There are, however, a great many reserves which are not so administered, but which are administered under the old Native Reserves Acts. The difference between these two classes of reserves is, noticeably, that in the former case—as respects those which are held by the Public Trustee under the West Coast Settlement Reserves Act—there exists a power to reduce the rentals, whilst no such power exists in the other class. And there is also power vested in the Public Trustee in respect of the first-mentioned class of reserves to grant renewals of leases to the present tenants, and likewise to give compensation for improvements; whilst there are no such provisions in respect of the other Native reserves.

1270. *Mr. Rees.*] That is to say, there is no power to grant renewals or to give compensation in respect of these old Native reserves?—Yes. For years past it has been promised by successive members that they will use their utmost efforts, and they frequently stated they had no doubt of succeeding, in getting those provisions extended to the tenants of these Native reserves which are enjoyed by the tenants of the West Coast Settlement Reserves in both respects. Indeed, to my knowledge, successive Ministries have expressed hopes that by bringing stronger influences to bear relief would be granted to these tenants. Encouraged by these promises, if not assurances, the tenants have expended a great deal of labour, and, in many cases a large amount of money, in improving these lands, and that not for the last few years only, but in many cases for the last ten or fifteen years.

1271. And they have done this, relying on these promises of an alteration of the law?—Yes; and with the certainty that it would be for the benefit of the Maoris as well as for their own benefit that some encouragement should be thus given them to improve the land. A very notable instance of this is afforded by the case of Mr. Mitchinson, who is certainly the very best nursery gardener in the district, and whose gardens are as good as any in the North Island. You probably know them already; if not, you should certainly visit them. He has spent an almost incalculable amount of time and labour, besides a large sum of money, on his leasehold, and from time to time he has received assurances from those in power—or, if not assurances, at any rate such hopeful statements of opinion as to the justice of so altering the tenures as to enable him to receive some consideration in respect of these improvements as have unquestionably led him to act as he has done. I have also been brought in contact with the Maoris who are interested in these reserves, and in no single case have I found any of them who did not recognise the justice of increasing the tenure of the leases, and of otherwise altering the provisions of the leases so as to make it worth while for the Europeans to expend their time and money upon the lands. In all these cases I have found the greatest good-feeling exhibited by the Maoris, and I have known them to frequently express the opinion that, at the end of the term, some machinery should be found by which to afford such relief and remuneration to the European lessees as would be just. In the case of the Native reserves, I am prepared to give an absolute assurance that both Europeans and Natives are desirous of having some machinery giving security of tenure to these Europeans, and the Natives especially,