

Mr. Justice Denniston's judgment is equally decided in the same direction.

The present position, therefore, is that under "The West Coast Settlements Reserves Act, 1887," an Act which in the opinion of the joint Committee of 1889 did not sufficiently guard the interests of the Natives, action has been taken which, in the judgment of the Court, so far as the petitioners are concerned is nugatory.

The Court has at the same time laid down the principles which should guide the Public Trustee in any of his dealings with the reserves in question, and the suggestions made last year by the joint Committee are clearly superseded by the injunction of the Court and the directions so given which are applicable to future transactions.

The lessees now pray the Legislature to afford them relief in one of several forms specified in their petition, and they ground their prayer very largely upon the representations and promises which they allege were made to them by Mr. Thomas Mackay at a meeting, an account of which was laid on the table of the House of Representatives in 1887.—(Parliamentary Papers, G.—7.)

With regard to this statement it is right to point out that, according to the report as quoted by the petitioners, Mr. Mackay informed them that "the option lies with the Public Trustee whether a lease can be surrendered or not." And, in his evidence before the Committee in 1890 (see page 98, Q. 2999 and Q. 2929), Mr. Mackay denies having promised an extension of the leases to thirty years, and also (though there appears to be some confusion on this point) makes a statement that contravenes the understanding which the lessees apparently entertain as to the purport of his remarks at Patea on the subject of valuations for improvements. Whatever view may be taken of this somewhat conflicting evidence, it is clear that if any statement were made at the meeting at Patea in December, 1884, that new leases could be made at a rental to be computed otherwise than "on the improved value of the land," such statement would be entirely contrary to the law which had been passed less than two months previously by the Parliament. No provision depriving the Natives of the value of their improvements was made till the Act of 1887 was passed.

In view of all the circumstances the Committee is of opinion,—

(1.) That no action would be justifiable which promoted arrangements other than those indicated in the judgments of the Court, or which in any way consulted the interests of the lessees at the expense of the Trust ;

(2.) And it does not consider that any one of the specific forms of relief asked for in the petition of the confirmed lessees can be rightly given.

14th August, 1891.

E. C. J. STEVENS, Chairman.

*Approximate Cost of Paper.*—Preparation, not given ; printing (1,300 copies), £1 3s.

By Authority: GEORGE DIDSBUY, Government Printer, Wellington.—1891

Price 3d.]