

on which I should grant you a lease, I should probably not grant a lease at all. I should say that as private owner I had an absolute right to fix my own terms.

310. *Mr. Lang.*] I understand that improvements on property are up to £5 the property of the tenant?—Yes, under the leases from the Public Trustee, before the Act of 1892 was passed.

311. If the tenant does not pay the rent, would you, as Trustee, have any claim on the buildings and properties?—I should take possession of his leasehold. All that I should get for the sale of the leasehold over and above the amount owing to the estate I would, of course, give to the lessee. He is entitled to that. I look to the insurance as a protection to the estate.

APPENDICES.

APPENDIX A.

Re Public Trustee Leases :—

1. That there should be an enlargement of the time in which to surrender.

2. To abolish the limit of £5 as the amount of protected improvements of lessees under Public Trustee leases. It is contended that, as no leases have as yet been issued in which the improvements are over £5, these are not cases in which there should be a vote on the estimates of amounts over £5, but for an amendment of the law that will permit of new leases issuing without the condition of payment by the lessees of the amount of the improvements over £5 per acre. No one has accepted a lease yet who has to be charged on their own improvements.

3. That there should be an amendment of the law by which it should be made lawful for the Public Trustee, if he think proper, to recognise agreements between Natives and holders of lands that have not been confirmed and were not capable of confirmation under the provisions of the Acts, such as Ross's case.

APPENDIX B.

Colonial Treasurer's Office, Wellington, 31st August, 1894.

SIR,—

West Coast Settlement Reserves.

After a careful consideration of the suggestions which Mr. George Hutchison, M.H.R., and yourself offer for amending "The West Coast Settlement Reserves Act, 1892," I beg to express my regret that I have been unable to arrive at any other conclusion than that the objections to the adoption of these suggestions generally are such that the necessary legislation would be impracticable.

The principle of the Act of 1892 is an administration of the reserves as a trust, in the interests not of the lessees or of settlement, but of the persons who are beneficially interested in the property. These persons, who happen to be Natives, have consequently the satisfaction of such an administration of their private property as they might, under all the circumstances, have expected if they were not Natives.

The legislation which preceded the Act of 1892 had been productive of nothing but dispute and difficulty, as the result of attempting to so vary the original contracts with the owners of the property as to subordinate the interests of the owners to the interests of the lessees. The lessees claimed that they had been accorded by legislation rights which the owners of the property declined to recognise; while the owners were not disposed to make the concessions which, in their own interests, the lessees expected. The Act of 1892 settled all these disputes by what was understood to be the compromise by which the lessee abandoned all claim to improvements to which the lease did not give a right, but was to be allowed a right to a new lease under the Act, at the discretion of the Public Trustee. But for the consideration of the claims which the lessees rested on the legislation prior to that of 1892 the lessees would not have been entitled to concession, and would not, probably, have obtained it. The Act of 1892 was thus a final settlement of all claims to special consideration in the interests rather of the lessees than of the estate; and any amendment of the law would consequently require to be justified by the interests of the estate.

1. Now, with regard to the suggestion to extend the time within which an application for a new lease may be made by the holder of a lease from the Public Trustee, the object of this extension appears to be in the interest of the lessees, to enable them to obtain an advantage in a reduced rent, or in a lease giving them the value of their improvements without limit. This proposal would not thus be consistent with the principle of the Act, or of the administration of a private trust estate. Until legislation provides for the adoption of regulations to secure, in the interests of the colony, a fair rent to tenants of private property generally, without respect to race, the tenants of Native trust-property should be required to strictly observe the contract of their leases. If the land which is the subject of the present proposal were not a trust property for Natives, the objection to the proposal would be more obvious.

2. On the same principle, the abolition of the present limit of £5 an acre on the value of the improvements to be allowed to the lessees to whose applications for new leases under the Act effect