

TUESDAY, 23RD AUGUST, 1904.

Examination of KUINI WI RANGIPUPU continued. (No. 3.)

1. *The Chairman.*] I understand, Mrs. Thompson, you wish to put some other papers before the Committee?—I was asked the other day whether I had any documentary evidence as to my having sent in a petition protesting against the provisions of the law, and I said, "Yes." This is a reprint of report on Petition No. 322. The petition was presented in 1895. This report of the Native Affairs Committee reads as follows: "Petition of Te Ranui Omahuru and 212 Others.—Petitioners pray that their interests in the West Coast Settlement Reserves may be individualised, to give them an opportunity of working their own lands. I have the honour to report that the Committee recommend that the Public Trustee should, with the utmost publicity, invite applications from the Native owners who wish to occupy and cultivate their individual shares of the land, and, on receipt of such applications, give each applicant the opportunity of benefiting by the individualisation of his property, instead of being compelled, as at present, to live in a state of communism.—18th September, 1895." Then, this is a cutting from the *Hawera Star* about five years ago. A visit was paid by the Premier to Hawera about five years ago in April, and this cutting is headed "Premier's Visit: Deputation *re* Local Matters: Native Grievances." I would also ask the Committee to read over this lease, and they will see how very strictly I have been dealt with.

J. W. POYNTON, Public Trustee, examined. (No. 4.)

*The Chairman:* I must now ask you, Mr. Poynton, to explain matters in connection with the statement Mrs. Thompson has made.

*Mr. Poynton:* I have written out a complete statement covering the whole ground of the petitioner's complaint. It is only fair to the office that all the facts should be brought out. This statement deals with everything, and I would ask that it be read to the Committee.

*The Clerk* then read Mr. Poynton's statement as follows:—

In order to understand the position of the petitioner's lease a brief reference to the history of these reserves is necessary.

Lands in Taranaki were taken from the Natives under "The New Zealand Settlements Act, 1863," in consequence of the Native rebellions. Promises were, however, made to restore some of the lands to loyal Natives, and in order to settle the claims arising out of these promises "The Confiscated Lands and Maori Prisoners' Trials Act, 1879," was passed. This Act provided for the appointment of a Commission to inquire into promises and engagements affecting lands and territories between the White Cliffs and the Waitotara River.

Sir William Fox and Sir Francis Dillon Bell, the Commissioners appointed under the Act, after an exhaustive inquiry reported as to the reserves to be set aside for individuals, hapus, and tribes.

"The West Coast Settlement Act, 1880," gave the necessary powers of reservation, and these were acted upon. In 1881 these reserves first came under the control of the Public Trustee, who had power to lease and to veto alienation by Natives. Several amending Acts were afterwards passed, but all, including the Act of 1881, were repealed by "The West Coast Settlement Reserves Act, 1892." Many leases had been granted under the provisions of the repealed Acts, also by the Natives interested in the reserves. There was no provision in such leases for renewal, and no protection for improvements. There was therefore no encouragement for settlers to make their permanent homes on these lands.

As there was a vastly greater area than what was required for the support of the Natives, it was advisable in the interests of both races to give a better form of lease, with a view to settlers getting a better tenure, and the Natives more rent. The Act of 1892 provided for perpetual renewals, and the ownership of improvements by the lessee. It also permitted those who held leases under the repealed Acts, either from Natives or the Public Trustee, to surrender them and get leases under the 1892 Act. The result of the passing of this Act was a large increase in settlement, and increased income to Natives. Lands held under lease in 1892 amounted to 57,340 acres; at present the area is 148,712 acres under lease or occupation license. Rentals in 1891 were £7,763; at present they are £20,977 from leases, and £4,819 from occupation licenses.

The piece of land in which the petitioner is mostly interested was before 1892 leased to one Lysaght by the Natives. On the 2nd September, 1897, he applied to surrender his lease and get a new one under the Act of 1892. A valuation for the purposes of the new lease was made. The valuation was: land, £2,275; improvements, £384 5s. The tenant accepted this valuation made by the office, and the statutory meeting between the Natives and the tenant was held to fix the rent. The procedure in such cases was this: If the Natives and the lessee could not agree upon a rental it was to be fixed by the Public Trustee. The meeting took place on the 26th May, 1898. Fifteen Natives were present, including petitioner. No agreement was arrived at, and the meeting was adjourned until next day, when the discussion was resumed. The majority of the Natives wished the rent to be fixed at 10s. per acre, some at less, but the petitioner wanted 14s., and the meeting broke up without result. The rent was then fixed at 5 per cent. on the valuation of the land, about 10s. 1d. per acre. Where a lease under the previous Acts was surrendered, and there were improvements on the land, the tenant had to pay for these improvements before getting the new lease. The reason for this was, because in the ordinary course of things such improvements would revert to the Natives at the expiration of the non-renewable lease. It was therefore right that the Natives and not the lessee should be regarded as the owner of them when the new contract giving the lessee protection for improvements was entered into. If money was paid for these improvements it was lodged to the credit of the particular reserve, and the Natives interested thereafter drew interest on it in addition to the new rental. Some lessees, however, had not the money to pay over, and in such cases the law allowed a mortgage to be taken instead of cash. Thereafter the lessee paid to the Public Trustee interest on such mortgage, and this interest was distributed to the Natives with the rents.