

1904.
NEW ZEALAND.

NATIVE AFFAIRS COMMITTEE :

REPORT ON PETITIONS OF KUINI WI RANGIPUPU (MRS. THOMPSON) AND HENI TE RAU
(MRS. JANE BROWN), TOGETHER WITH MINUTES OF EVIDENCE.

(MR. R. M. HOUSTON, CHAIRMAN.)

*Report brought up 29th September, 1904, ordered to lie on Table and be printed on
2nd November, 1904.*

REPORT.

Nos. 283 and 483.—Petitions of KUINI WI RANGIPUPU (Mrs. Thompson) and HENI TE RAU
(Mrs. Jane Brown).

PETITIONERS complain of the Public Trustee's management of their lands, and pray that may be allowed to have the same under their own control.

I am directed to report that the Committee recommends that the complaints, as set forth in the petitions, be investigated and reported on by a Stipendiary Magistrate, a Judge of the Native Land Court, or any suitable tribunal appointed by the Government; such report to be submitted to Parliament.

A copy of the evidence taken is attached hereto.
29th September, 1904.

PETITIONS.

No. 283, 1904 (Mr. Fraser).—PETITION OF KUINI WI RANGIPUPU.

To the Honourable the Speaker and members of the House of Representatives of the Colony of New Zealand in Parliament assembled.

THE petition of Kuini Wi Rangipupu, of Hapotiki, in the District of Hawera, in the Colony of New Zealand, humbly sheweth,—

1. That your petitioner is an aboriginal Native of New Zealand, and owner under Crown grant of lands administered under the West Coast Settlement Reserves Act and amending Acts.

2. That your petitioner has obtained from the Native Land Courts orders of partition for the portions to which she is entitled, has paid all survey fees, succession duties, and fees of the Native Land Court, together with charges made for issue of orders; has annually paid land-tax and local rates demanded, and fulfilled all the responsibilities of a British subject and a loyal colonist.

3. That, notwithstanding this, your petitioner is unable to beneficially occupy her lands (part of those which Sir William Fox promised, by special proclamation, should belong to the Natives and their heirs for ever, and which have been granted to me in fulfilment of that promise by her late Most Gracious Majesty the Queen of Great Britain, of sacred memory) without a license to occupy issued by the Public Trustee, or a lease granted by the same functionary, either of which has to be paid for annually.

4. That being told by the Public Trustee that, although I was in occupation of such portions which had not been let by the Public Trustee, I had no other protection in such occupation than a license or lease from him, and seeing lands not so protected leased by the Public Trustee to Europeans, I, under such duress, obtained a lease from the Public Trustee for my Crown-granted lands.

5. That portions of your petitioner's land are already leased to Europeans by the Public Trustee, who collects the rents and disburses them to your petitioner after deducting 7 per cent. for his trouble, rates paid to local bodies, land-tax to the Government, and a mortgage-tax, which I do not understand and feel I ought not to pay.

6. That the Public Trustee not only charges your petitioner rent for her own Crown-granted land, and deducts the amount of such rent from other rents he has collected from tenants leasing other portions of your petitioner's land, charging 7 per cent. for the collection, but he also charges another 7 per cent. for collecting the money, already in his hands, in payment of my rent, so that an amount equalling the amount of my rent to him has paid that functionary 14 per cent. from the time it leaves the European lessees' hands till it reaches your petitioner.

7. That, although Europeans are exempt from land-taxes if they are but small owners, and enjoy other exemptions, there is, under the administration of the Public Trustee, no exemption for myself or my fellow-countrymen the Maoris, seeing that although all the lands on the West Coast are subdivided, and the owner of every acre known, the Public Trustee, who holds in sacred trust my land, allows the land-tax to be levied not on the individual ownership, but on large blocks of these subdivisions, so that the owner of one acre is no more exempt than the owner of a thousand.

8. That the continued administration of the lands, of which your petitioner's is part, by an officer of the Government leads European lessees and others to think that our lands are Native lands in the ordinary meaning as applied to lands over which the Native title has not been extinguished, and they do not understand that, on the contrary, though let to them by a Government official our lands are Crown-granted to us, to myself (your petitioner) and others, each in his or her own proper name, by her late Most Gracious Majesty the Queen, a title held to be the most sacred when applied to the European freehold.

9. That in consequence of such ignorance the said lessees, desirous of acquiring the freehold of lands Crown-granted to your petitioner and others, are about to petition your honourable House to make Crown grants to them for the lands which have already been Crown-granted to your petitioner and others as a provision for us and our children for ever, and which your honourable House has placed, a sacred trust, in the hands of the Government and your servant the Public Trustee.

10. That such injury to your petitioner and others may be effected through political agitation, your petitioner submits, is proved by the successful agitation of a few years ago, when half the amount of the rents of the West Coast leases was remitted for a period of five years; but your petitioner does not believe that your honourable House would sanction any such injustice and breach of trust as that now asked for after your honourable House has been placed in possession of the facts.

11. That your petitioner is, by education and experience, well able to administer her own estate, whether occupied by a European leaseholder or by herself, and that your petitioner would be increasingly encouraged to improve such estate by building and planting if the management was in her own hands, safe from all interference and free from annoying and costly imposts; but your petitioner does not ask you to alter in any way the wise restrictions and provisions in the Crown grants which gave me and my people land for myself, ourselves, and descendants for ever.

12. Your petitioner therefore prays your honourable House to so legislate that, subject to the conditions of the Crown grants, your petitioner can alone administer her lands, to the great saving of expense, to the evolution of a better home, and to the general improvement of the lands which have been her ancestors' for numberless years, have been Crown-granted to her and her heirs by Her Most Gracious Majesty the late lamented Queen at the instance of your honourable House; to the making of your petitioner a responsible citizen who can be trusted, to the increase of her self-respect and self-reliance, and to the great advantage of those who shall inherit her property, and to the immense improvement of Native settlement in the colony.

13. That your petitioner humbly prays your honourable House to legislate at once in amelioration of your petitioner's grievances, which are those also of many others.

And your petitioner, as in duty bound, will ever pray.

KUINI WI RANGIPUPU.

REPORT OF PUBLIC TRUSTEE ON ABOVE PETITION.

The Public Trust Office, Wellington, 10th August, 1904.

Petition of Kuini Wi Rangipupu.

On this I have to report as follows:—

1. The petitioner is interested in West Coast Settlement Reserve grants only by succession. She was not an original owner in them.

2. No Native Land Court partition had been made for the exclusive benefit of the petitioner. She was entitled, with six other Native beneficiaries, to undivided interests in Crown Grant 3952 No. 2, comprising an area of 300 acres. The land-tax and local rates referred to in paragraph 2 of the petition have invariably been paid by the Public Trustee, who has no knowledge that any other rates or taxes have been demanded. Petitioner is not on the roll of the county in which the land she occupies is situated. The rates on this land have in the past been paid direct from the Public Trust Office.

3. Sir William Fox was appointed Commissioner for dealing with West Coast Settlement Reserves and reported to the Government in connection therewith. The reserves are now vested by statute in the Public Trustee, and petitioner is simply a Native beneficiary therein, and not entitled to benefits outside of the interests allowed to her many co-beneficiaries.

4. Petitioner has only an undivided interest in Crown Grant 3952 No. 2, and she had been allotted a homestead-site on lines similar to those carried out in providing other Natives interested in West Coast Settlement Reserves with homesteads. In consideration, however, of the petitioner (who is better known as Mrs. R. S. Thompson) being to some extent Europeanised, the Public Trustee in her case issued, in place of the usual occupation license, a lease under section 4 of "The West Coast Settlement Reserves Act Amendment Act, 1893," which gives her a perpetual right of renewal to this allocation.

5. Petitioner has no specific "portions of land." Reserves she is interested in together with other beneficiaries are leased, and the Public Trustee charges only the regulation office rate of commission for collecting the rents, which are disbursed after paying rates on the portions occupied by the Natives only, and Government land-tax.

6. Petitioner is in error as to commission charged. Seven and a half per cent. commission is charged on the rents collected from leased lands, and on the lands held by Natives under occupation licenses only $3\frac{1}{2}$ per cent. is charged. No commission whatever is charged for collecting rent from the petitioner for the land she holds under lease above mentioned.

7. Native reserves are taxed under section 38 of "The Land and Income Assessment Act, 1900." The section reads: "With respect to persons owning land as joint tenants, tenants in common, copartners, cotrustees, or on joint account the following provisions shall apply: (1.) They shall be assessed jointly, and shall be jointly and severally liable for the due furnishing of returns of such land and for the payment of the total ordinary land-tax thereon. Provided that one exemption only in respect of such land shall be allowed where any exemption is authorised by this Act. (2.) Such tax shall be stated and levied separately and distinctly from any other tax chargeable on the same persons, or any of them." Tax is paid only on the lands leased. No tax is payable on the land held by the Native owners under occupation licenses. This taxation is severe on the Native beneficiaries, but the only remedy is by fresh legislation. As the law at present stands, the lands being held jointly are assessed as though owned by one person. No exemption is allowed to the Natives on their respective interests.

8. The statement in paragraph 8 of the petition as to the position of these lands is not correct. The petitioner must be aware of the fact that these lands were originally confiscated and subsequently returned to the Natives under a trust to be held for certain beneficiaries and their direct successors. The West Coast Settlement Reserves are vested in the Public Trustee in fee-simple upon trust for the Native owners, who have only a life interest in the proceeds of the reserves.

9. In reference to the statement by petitioner that the leaseholders are about to agitate with the intention of acquiring the freehold of these reserves, if such a petition is to be presented to the House it will be opposed by the Public Trustee.

10. In the year 1888, on account of general depression, &c., West Coast Settlement Reserve lessees were granted a reduction in their rentals for a period of five years. Under the present condition of things, however, this is not likely to occur again.

J. W. POYNTON,
Public Trustee.

The Clerk, Native Affairs Committee,
House of Representatives, Wellington.

No. 483, 1904 (Mr. Parata).—PETITION OF HENI TE RAU.

To the Honourable the Speaker and members of the House of Representatives in Parliament assembled.

1. THAT your petitioners, with many relations and hapu, are owners of land, Grant 5238, situated at Urenui, and now administered by the Public Trustee: and that the said grant was not intended to come under the control of the Public Trustee, being set apart for my hapu, whose ancestors held and occupied these lands long before the war, and were all loyal to the Crown during the troublous times, and have always remained loyal.

2. That your petitioner has obtained Native Land Court orders of partition, survey plans, paid all fees for the same, and 54 acres by the above titles were leased by her some eight or nine years ago, with homestead and farm of 350 acres adjoining.

3. That notwithstanding all this, and the many years of occupation, the Public Trustee, under the great power given him, last October gave her tenant notice not to pay her any more rent, as the 54 acres were part of reserve vested in him, and whatever agreement existed between your petitioner and tenant was of no value, and therefore the rent must be paid to him.

4. And this notice was followed up by threatening letters, stating that if the rent demanded was not paid by the 30th instant the tenant would be treated as a trespasser. The Public Trustee again writes, "I trust, therefore, you will forward me without delay cheque for the half-year's rent ending the 31st October, otherwise this Department will have to resume possession of the 54 acres."

5. That your petitioner was ignored and treated as an interloper in the matter, no notice being given her, and she knew nothing of it till her tenant wrote and sent the letters of demand: for he did not understand their meaning, as he had paid her the rent for years.

6. And that your petitioner and relatives are not allowed to occupy their land without a license issued by the Public Trustee or a lease granted by him to occupy the land and pay him rent for the same, as though they were not the owners, and charging 7 per cent. for collecting and paying it back to them.

7. That these are most cruel and unjust laws they are subjected to under the great power given to the Public Trustee; they feel that their liberty, independence, and rights are taken away, and treated like slaves in bondage; they have no protection, no say in what is their own heritage and Crown-granted to them, their heirs and successors for ever.

8. That when the said grant was issued it was for the sole use and benefit of those in the grant, without reference to the Public Trustee. The title being inalienable is sufficient protection without the care of Public Trustee, and we can lease and deal with our own land to better advantage, thus saving the 7 per cent. charged by the Public Trustee.

9. I and my family have for years paid rates and taxes as British subjects, which can be seen by reference to the Tax Department. I have brought up and educated my family without the care of private or public trustee or help of any kind.

10. I have brought up and cared for my nephew, Dr. Pomare, since about seven years old for the position he now holds in the Health Department under Sir J. Ward. And yet my family and I are not allowed to deal with our own land without being made to feel the indignity of asking to be permitted to use our own land, and made to pay rent for it, as though we were not the owners, and charged 7 per cent. for leasing and collecting.

11. And that the present administration is very irritating and demoralising to our race, being made to feel that they are only owners on sufferance, all feeling of independence and self-reliance, individuality, stripped from them; and, however much they may wish to occupy and farm the land, the existing state of things above mentioned gives no feeling of encouragement.

Your petitioners therefore earnestly pray,—

1. That the existing cruel and arbitrary laws and great power given to the Public Trustee be amended, and the full rights and privileges of British subjects be granted to us, that we may be permitted to lease or otherwise deal with our own lands as we may think most beneficial to ourselves and children.

2. That the said reserve is very small, the largest share being 20 acres, and yet the Public Trustee may choose, under the power he holds, take away half of that and lease it.

3. Your petitioners therefore humbly pray that your honourable House will pass legislation in the direction prayed for by your petitioners, and give them and their families the rights of freedom as British subjects.

Your petitioners, as in duty bound, will ever pray, &c.

HENI TE RAU
(otherwise JANE BROWN),
Kohimarama, Auckland.

MINUTES OF EVIDENCE.

THURSDAY, 18TH AUGUST, 1904.

KUINI WI RANGIPUPU examined. (No. 1.)

1. *The Chairman.*] Do you wish to say anything with regard to your petition?—I want to produce some documents. [Document produced.]

2. *Mr. A. L. D. Fraser.*] This is a lease?—Yes.

3. It is the lease referred to in the petition and the report of the Public Trustee?—Yes.

4. And this is the lease upon which you say you are charged 7 per cent.?—Yes.

5. Although it is your own land leased to you, you are charged 7 per cent.?—Yes.

6. Have you followed the report of the Public Trustee where he contradicts that statement?—Yes.

7. He says you are in error as to commission charged. He says, "Seven and a half per cent. commision is charged on the rents collected from leased lands, and on the lands held by Natives under occupation licenses only 3½ per cent. is charged. No commission whatever is charged for collecting rent from the petitioner for the land she holds under lease above mentioned." Mr. Poynton says he does not charge you anything for collecting this rent?—He collects my rent in the leasehold—

Mr. Poynton: Mrs. Thompson pays about £16. She gets about £52. Instead of getting the whole lot she is credited with the £16. There is no commission charged.

Sir W. R. Russell: She gets a rental of £52 with £16 deducted?

Mr. Poynton: Yes.

Sir W. R. Russell: The amount of the rent she has to pay is £16?

Mr. Poynton: Yes.

Mr. A. L. D. Fraser: But Mrs. Thompson states that she pays 7 per cent. on this, too?

Mr. Poynton: That is a misapprehension. She is credited with the rent and the balance is paid to her.

Mr. A. L. D. Fraser: Only 7½ per cent. is charged on the balance between £52 and £16?

Mr. Poynton: Yes. The total amount of rent from the land she is interested in is £80. After paying land-tax, rates, and office commission it comes to £69, and then she is paid that less the rent.

Hon. Mr. Carroll: On the rent itself you take nothing?

Mr. Poynton: No.

Mr. A. L. D. Fraser: And what is the balance?

Mr. Poynton: It varies. It usually amounts altogether to about £52.

Kuini Wi Rangipupu: The Public Trustee charges his commission on the full amount. Then he takes another 7 per cent. on the £16 mentioned in this lease.

8. *Hon. Mr. Carroll.*] You still adhere to your statement, that he charges you 7 per cent. on the rents due to you, and also 7 per cent. on your own rent?—Yes.

9. *Mr. A. L. D. Fraser.*] As to the statement that your interest has not been partitioned, that you just hold with others, is that correct?—It was partitioned in 1888, before the Act of 1892, and survey fees and Court fees have been paid by me for myself and others.

10. For yourself and others?—Yes; and all the particulars are in the Native Land Court offices now.

11. You do not quite follow me. Mr. Poynton has stated in his report that you have not had your interest or individual right located. You are only with some others?—Well, the Public Trustee has located my share of it.

12. This is the question I wish to put to you : Your interest has not been partitioned by the Native Land Court?—No, not my own. I hold it with others. But the Public Trustee has located my own away from the others—

13. Oh, yes. But that was a partition for yourself and others?—Yes.

14. And since then, you say, the Public Trustee has partitioned your individual portion off?—Yes.

15. Are you occupying this land yourself?—Yes, I am occupying it myself.

16. *Hon. Mr. Carroll.*] That is the land leased to you?—It is my own land. I had to get the lease out to protect myself from trespassers. I could not get any title to produce in Court. Some persons destroyed trees on this land, and I could not bring the case on because I had no proper title.

17. The land which you hold under lease, you say, is your own interest allocated to you by the Court?—It is my share.

18. Did the Court award that piece to you?—Yes, the Court awarded that piece to me.

19. *Mr. A. L. D. Fraser.*] What Mr. Carroll means is this : Did the Court partition this portion off to you alone? You told us a few moments ago that it did not, and in answer to Mr. Carroll you should have said "No." The Court did not partition off that piece for you alone?—No, it was done by the Public Trustee.

20. The real gist of your petition is that you feel that you are competent to manage your own affairs and your own land?—Yes, so I am.

21. And you ask in your petition that legislation should be brought down to free you from the burden of the Public Trustee's management?—Yes.

22. Have you any other complaint beyond the complaints you have made in your petition with regard to the management of the West Coast lands by the Public Trustee?—Well, when he issued a new lease to the tenant on the land in the lease under his control, and the tenant had not the money to pay for the improvements, the Public Trustee lent him the money—

23. The land was leased to a European by the Public Trustee?—Yes. Tenants occupying such land have the right of renewal at the end of their term on paying down the value of the improvements.

24. At the termination of a lease, if they wish for a renewal, they have to pay for the improvements on the land before the new lease is signed?—Yes.

25. A new lease was signed?—Yes; and this tenant had not the money to pay for these improvements, so the Public Trustee lent him the money and charged the interest to me.

26. The tenant, when getting a renewal of the lease, was unable to pay for the improvements. The Public Trustee lent him the money to pay for them and charged you with the interest?—Yes, and I have to pay taxes and rates and commissions of all sorts as well.

27. What is the total amount you are entitled to without deducting any rates, taxes, or commission?—It is given in this statement of account by the Public Trustee.

28. The total amount here is set down at £80 7s. 7d., and from this is deducted valuation fee 3s. 6d., rates £2 2s. 10d., taxes £5 5s. 10d., and commission £4 4s. 1d., making a total reduction of £12 16s. 3d., which leaves a balance of £67 11s. 4d. That is the total for the year. Now, Mrs. Thompson, if you had the land in your own hands would you not still have to pay these rates?—I would not complain about paying rates because I know they would benefit my place. I do not know what the tax is used for.

29. But you do object to paying £4 4s. 1d. commission when you could manage better yourself?—Yes.

30. Have you anything else to put before the Committee?—Only this account. When the new lease was issued to the tenant this account was sent to me. [Document produced.]

31. This is with respect to the renewal of the lease you spoke of a few minutes ago, and this is the Public Trustee's account to you?—Yes.

32. This account reads "Grant 3952, No. 2.—Kuini Rangipupu and Others—To rent under C lease from 12th June, 1897, for 85 days, £15 14s. 4d.; to rent under new lease from 6th September, 1897, to 6th March, 1900, 2½ years, at £113 15s. per annum, £284 7s. 6d.; to interest on mortgage for improvements, £384 5s. at 5 per cent. per annum from 6th September, 1897, to 6th September, 1899, 2 years, £38 8s. 6d.; less proportion cost of tracing, £1; land-tax, 1897-98, 17s. 2d.; ditto, 1898-99, £1 8s. 5d.; ditto, 1899-1900, £1 8s. 5d.; valuation fee, £1 1s.; commission Public Trust Office, £22 9s. 7d.; balance, £310 5s. 9d., less amount distributed, 30/6/99, £143 17s. 2d.; amount for distribution on 31/12/99, £166 8s. 7d." Is there anything else you would like to say, Mrs. Thompson?—I have also shares in other land to which I have succeeded. Some of my land is shown on this map [Map produced], but I have other land as well. All these lands are under the management of the Public Trustee, and I cannot give you the different particulars because I cannot get them. I have often asked for accounts when the agent comes round to pay the rents, but he merely tells me "Your interest in certain grants is so much," and I sign a voucher, but I have no account.

33. Can you tell the Committee what the general impression is among Maoris about the management of the Public Trust Department with regard to the lands on the West Coast—

The Chairman : I do not think that question should be put.

34. *Mr. A. L. D. Fraser.*] Well, what is your own opinion?—The Natives of the West Coast have come to the conclusion that the Public Trust Office is a money-making machine for the Government, and that they bleed the Natives more than people think. They are getting more money out of the Natives than they should.

35. In your opinion that is the general feeling?—Yes.

36. *Hon. Mr. Carroll.*] Whose opinion is that?—The Natives of the West Coast.

37. How many?—Several of them.

38. You do not know the number?—No.

39. In your opinion that is the general feeling?—That is what they say.

40. *Mr. A. L. D. Fraser.*] Would you like to say anything to the Committee with regard to the manner in which moneys are distributed by the Public Trustee?—The Public Trustee sends round to one man in the grant supposed to be the head man. But that man does not go round and tell the Natives. The people are scattered all over the country. The result is that when the Native owners think it is time for the Public Trustee to pay rents, they are running after him, and a few come to meet him. But he does not run after them. The aged people, for instance, have to be taken to meet him at some place he appoints, and in most cases he is accompanied by some European, who lends money to the Natives and gets enormous interest—say, 5s. in the pound, for a week or a day.

41. You mean those who have orders upon the rents of the Natives?—Yes, the Reserves Agent generally pays out the money to the people owing sums to the money-lender. But those Natives who do not owe these people money have to run after him (the Agent) for their cheques.

42. You say that the representative of the Public Trustee does not trouble to call upon the aged people, and that there are certain people who advance money on the rents at enormous interest, and that the Public Trustee's representative when paying the rents has been accompanied by one of these people, and on occasions has paid the rent when that person was present?—Yes.

43. Is there anything else you would like to say?—I am bound by this lease not to let the land to a European. I have not the freedom of the European tenant. I can only let my land to Maoris if I do not want to work it myself. If I want to lease it I must let it to Maoris, and it is not likely Maoris will take up a lease when they have land of their own. So I have to keep that land and work it myself. If I do not the Public Trustee would go and let it to somebody else. It says so in the lease—

44. That the Public Trustee can let the land to a European?—Yes; but I cannot, although I am the owner. So I have to work it and make it pay these taxes, and rates, and improvements. I have to spend money from other sources, not under the Public Trustee's management, on this property, and it is very hard to think that the property is vested in him. It is very hard I cannot lease my land to Europeans. I know of other Natives who are doing so.

45. *Sir W. R. Russell.*] Which is the nearest town?—Hawera. It is two miles from Hawera.

46. And what is the letting-value—what could you get per acre?—Between 11s. and 12s. per acre is being paid for land in the neighbourhood, but my land has a good deal of bush on it, and there are only 6 acres ploughable.

47. *Mr. A. L. D. Fraser.*] You say other Natives are leasing their land to Europeans?—Yes.

48. Land that was set apart for occupation?—Yes.

49. And you cannot lease yours?—No, I cannot lease my own land.

50. *Hon. Mr. Carroll.*] With regard to this land you say the Maoris are leasing to Europeans—that land was set apart for their use and occupation?—Yes.

51. Do you know whether those leases have been confirmed by the Public Trustee?—I do not think so.

52. Do you think, under the circumstances, that such land as this that they will not occupy and which they lease out secretly and surreptitiously to Europeans should be leased by the Public Trustee to Europeans? Do you think that would be the best way of dealing with that land?—Well, I think the Natives ought to have the preference of any land they might want to cultivate and farm—

53. Yes, but these Natives, you say, instead of cultivating and using the land set apart for their use, go and lease it surreptitiously to the pakeha. That is what you complain of?—Yes, why should they be allowed to do a thing that I am not?

54. Then I ask you the question, do you think the proper use of that land would be for the Public Trustee to offer it publicly for lease?—Well, I think that Maoris should have the preference.

55. Then your idea is this, that the Public Trustee should offer the land publicly for lease, but should confine the accepting of these leases to Natives?—Yes.

56. Well, you say this land ought to be leased, but you make this condition, that the leases should be confined to Natives. Now, the complaint you made was that you could not lease your land to a European, but could only lease it to a Native?—That is so. That is all I can do in regard to it.

57. *The Chairman.*] I think, Mrs. Thompson, you said that this land you mention as being leased by the Natives was set apart for their occupation, and that they are leasing it contrary to the wishes of the Public Trustee?—Yes.

58. Do you think it would be better that the Public Trustee should lease this land for the Natives rather than that they should do it surreptitiously themselves?—Yes.

59. *Hon. Mr. Carroll.*] But you think a distinct preference in all such cases should be given to any Natives who desire to take up land by lease from the Public Trustee, whether they are already in possession of land or not?—Yes.

60. *Mr. A. L. D. Fraser.*] Have these Natives who leased this land to Europeans to pay rent for their occupation?—Yes.

61. And do they get a larger rent than they have to pay to the Public Trustee?—Yes, they get more.

62. Do you consider the Natives are doing better by their own action than if the whole of the management was in the hands of the Public Trustee?—They say they get more.

63. *Hon. Mr. Carroll.*] You say that Natives when they want money are often ready to raise it any how?—Yes.

64. And when they run short of money they go and make terms with Europeans for grazing-rights over the land, and that is the way they treat the land which is given them for use and cultivation?—Of course, I do not manage my land in that way.

65. But do you think these Natives are making the best use of this land by surreptitiously leasing it to Europeans in that way? Is that your experience?—Oh, the restrictions in the grant prevent them from parting with their land.

66. Otherwise they would part with it?—I do not think they are satisfied with their title as an occupation license. They do not think that the land belongs to them, under the Act of 1892.

67. Although they have an occupation license they do not value that, and they will not make use of the land. They only use it to raise money?—Yes, but the restrictions prevent them parting with it.

68. *The Chairman.*] Otherwise they would have parted with it?—Some of them would.

69. *Mr. [A. L. D. Fraser.]* You say some of these Native lease their lands surreptitiously to Europeans, while some others whose lands are leased by the Public Trustee go to Europeans and give orders on the Public Trustee?—Yes, some of them do.

70. *Hon. Mr. Carroll.*] Then you think it would be better for the Public Trustee to lease such land than to allow it to remain under occupation license, but that Maoris should have the preference?—Yes, that is my opinion.

FRIDAY, 19TH AUGUST, 1904.

Examination of KUINI WI RANGIPUPU continued. (No. 2.)

1. *The Chairman.*] Will you proceed with your statement, Mrs. Thompson, where you left off yesterday?—I would like to explain my answers yesterday to the Minister more plainly with regard to the pieces or portions of land which were set aside for the occupation of my own people. It was not my wish that the Public Trustee was to administer or manage those portions of land. I would have preferred to have the Natives manage those lands themselves. I now reproduce the lease which I put before the Committee yesterday [Lease produced] and this map [Map produced], in which are shown the subdivisions made by the Court in 1888. And it is in connection with these lands that I now produce this account, which I showed to the Committee yesterday. [Account produced.] I produce this account because it is more complete—accounts in connection with the other portions of land have not been rendered so fully as in this account—and that is why I produce it for the inspection of the Committee. In connection with these other lands I do not know what deductions have been made. I have been given no particulars. Last December I was entitled to £31 for six months, but I only received £21—

2. *Hon. Mr. Carroll.*] First of all you get a notice to say that for six months' rent there is so much due to you?—Yes.

3. You say the Public Trustee notified you that there was £31 due to you for all your shares in lands under his administration?—Yes.

4. That is for the six months up to the 31st December last?—Yes.

5. And what you actually received by cheque after the deductions were taken off was £21?—Yes.

6. Have you got the accounts for the last six months, ending the 30th June?—No, I have not got those accounts. I pay a rent of £8 every six months for the land I am occupying, although that land is my own land. It is land granted to me by the Crown for my maintenance. On account of the grant being restricted I cannot sell or lease. By the Act of 1892 my right to the soil was taken away from me. I had spent large sums for survey fees and Court fees prior to the year 1892, and I ought to have received, in my opinion, an absolute grant of this land to myself. But this right was taken away from me by the Act of 1892, and because I was actually, as it were, living on sufferance on this land, and unable to keep off trespassers, the Public Trustee advised me to take a lease of my own land. And for that reason I accepted this lease. This land which I hold on lease is 40 acres 2 roods, for which I have to pay a rent of £16 a year. In this block—the Hapotiki Block—I own 112½ acres.

7. *Hon. Mr. Carroll.*] In what block?—The Hapotiki Block. This land belongs to myself and my relations.

8. Do you mean that your own individual share is 40 acres, and that you share with other members of your hapu the balance of 72 acres?—My share has been allocated—cut out. The whole block is 300 acres, and my interest amounts to 112½ acres. I occupy 40 acres of this under a lease: the rest has not been allocated; it is still in the general lease.

9. You said just now that your interest in that block was 112½ acres. Was that your own interest or your family interest? Do you own the 112½ acres in your own right?—Part of it I occupy, and part of it is leased. I occupy the 40 acres. The balance is leased to Europeans. I am also interested in the Hapotiki Main Block, which is a block of 4,174 acres.

10. Will you give us, first of all, the whole block, and then tell us what was cut off for yourself, what was cut off for your family, and the balance that was left?—I now speak of the Hapotiki Block, and the shares to which I succeeded in that block. I have succeeded to six persons in the block, and my share now is 33 acres 1 rood 30 perches. This is the main block. It is called the Hapotiki Main Block, and it contains 4,174 acres. I receive £3 14s. 5d. every half-year from this land—from the 33 acres 1 rood 30 perches. It is very good land. I cannot tell how much money has been deducted for rates and taxes and so on. I do not get a full account in connection with this land. In another block, the Ngatihawe Block, containing 2,047 acres, I have 5 acres. I have succeeded to this land. I receive 8s. 7d. per half-year from this land.

11. *Mr. Parata.*] That is after rates, taxes, and commission have been deducted?—Yes. Then, in the Mataikahawai Block, containing 2,403 acres, I own 20 acres 1 rood 26 perches. I succeeded to this by succession. I get 18s. 4d. per half-year from this land.

12. That is after the deduction of rates, taxes, &c.?—Yes. That is after the deduction of rates, taxes, and commission. From my lands I only receive £21 13s. 2d. every half-year. I am entitled to £31 5s. 6d. per half-year, but after the deductions are made I only receive £21 13s. 2d.

13. *The Chairman.*] Are you furnished with a separate account for each of these blocks?—No; as I have already said, I cannot get accounts. I have only been able to get an account in connection with one block. That is the account I have produced. They do not give me any accounts. They

say "There is so much for you to receive," and that is the only way I get the money. They do not render me any accounts for these other pieces of land. That is one of my complaints.

14. *Mr. Jennings.*] Does anybody else get these accounts?—I cannot say. I do not get them. I have to be constantly running after them for these few shillings, whereas if I managed my own affairs I could do very much better. With less trouble I should be able to get much more rent.

15. *Mr. Heke.*] I can hardly understand your explanation. Is this the position: In the first piece of land you described to us this morning you say that you own 112½ acres?—Yes.

16. Then, as to the second piece of land, you say you have in another block 33 acres?—Yes.

17. This, we understand, is a different piece of land to the 112½ acres?—Yes; I succeeded to it.

18. Now, is this right? You say that in the third block you have 5 acres?—Yes; in the Ngatihawe Block.

19. Are there any other blocks that you are interested in?—The Mataikahawai Block.

20. How many acres?—Twenty acres.

21. You are interested in four blocks: in the first one you have 112½ acres, in the second block 33 acres, in the third block 5 acres, and in the fourth block, 20 acres? Is this all?—Yes.

22. Is the 40 acres that you have leased from the Public Trustee a part of the 112½ acres?—Yes.

23. That leaves in the hands of the Public Trustee, and which he leases to other people, 72½ acres?—Yes.

24. Can you tell the Committee what is the annual rental paid to you for the 72½ acres?—I receive for the 72 acres £18 2s. 2d. each half-year.

25. That is £36-odd a year?—Yes.

26. I want you to understand, Mrs. Thompson, that I am asking you what is the actual rental the Public Trustee pays to you for your 72½ acres?—I got £18 2s. 2d. last half-year.

27. That is £36-odd a year?—Yes; but it varies.

28. Is that £36 a year paid to you after deducting commission, taxes, and rates?—Yes; that is the balance I receive after the deduction of rates, commission, taxes, and so on.

29. Now, what rent have you to pay to the Public Trustee for the 40 acres?—I pay £16 a year to the Public Trustee.

30. Well, you do not pay that out of your pocket?—That is deducted by the Public Trustee out of rents due to me for my land leased to Europeans.

31. So, deducting £16 from the £36, that leaves you £20 a year?—Yes.

32. What is the rental that you get for your 33 acres?—£3 14s. 5d. each half-year.

33. Can you tell us whether this £3 14s. 5d. is paid to you after deducting commission, taxes, and rates?—Yes; I think so. I am not certain. I do not get any accounts. I do not have any accounts showing these things.

34. What rent do you get for the 5 acres?—8s. 7d. each half-year.

35. And what do you get for the 20 acres?—18s. 4d. each half-year.

36. You do not get any accounts, I suppose, in regard to the rent of the 20 acres?—I do not get any accounts in these three blocks. I have only received an account in connection with the one block. This account I have produced for the Committee.

37. Well, now, what commission is deducted from the rent due to you on the 72½ acres?—About 7 per cent.

38. I understand the prayer of your petition is that you wish to have your land now under the administration of the Public Trustee in your own hands—that you wish to manage it yourself?—Yes, I wish to manage my own affairs. I wish to manage my land myself on my own responsibility.

39. Your reason for wishing that is, that you think you are capable of doing it?—Yes.

40. Well, there is one question I would like to ask you. In regard to the majority of the Natives owning interests in the lands on the West Coast administered by the Public Trustee, would you ask that they should receive the same privilege as you pray for now?—Yes; I ask that for all Natives in a similar position to myself—that is to say, with the same education and ability; excluding those that are incompetent and not educated.

41. But with regard to all those who are known to be persons who are not capable of dealing with their land, would you ask that the same privileges should be extended to them?—Well, I will not presume to say that the Natives are incompetent and incapable. I will not take the responsibility for saying that.

42. Mrs. Thompson, I presume you know there are a number of Natives interested in the West Coast reserves, who, if this same privilege that you are asking for is given them, would not remain very long in the occupation of their land. They would sell it. Would you give them the same right?—Why should they not have the right? The lands are restricted. They cannot sell the land.

43. Would you give these weaker Natives the same privileges that you are asking for?—I am asking for myself, not for others.

44. There is another matter I want to speak to you about. It is in regard to some of the statements you made yesterday. You said that, with regard to some Natives who have been given licensed holdings by the Public Trustee, they have started to give informal leases, so to speak, to pakehas. And I also understood you to say yesterday that Natives who were desirous of acquiring leases from other Natives ought to be encouraged to do this, and that Natives ought not to be encouraged to lease their places to Europeans. Is that the position?—No; that is not exactly what I said.

45. What do they call these licensed holdings?

Mr. Poynton: Occupation licenses.

46. *Mr. Heke.*] In regard to these pieces of land set aside by the Public Trustee for the Natives you spoke of yesterday, were they given by the Public Trustee as occupation licenses for these Natives?—Yes.

47. That is in regard to the pieces of land you spoke of yesterday : were they pieces of land given by the Public Trustee under an occupation license ?—I have heard so ; but perhaps the Public Trustee will explain. They may be leases.

48. With regard to these occupation licenses, is it the intention of the Public Trustee that these licenses are for the purpose of giving the Natives land to enable them to cultivate food on it ? Is that correct ?—I cannot say whether that is so or not.

49. Well, there must be some reason why these occupation licenses are given. Do you think it is for the purpose of cultivating food ?—Yes.

50. Now, I want to ask you, Mrs. Thompson, what is your experience in regard to these Natives to whom the Public Trustee has given these occupation licenses. Do they cultivate the land given to them by the Public Trustee under this system, or do they lease these pieces of land ?—A large number use and cultivate the land, and, on the other hand, a good many lease the land to others.

51. They lease it privately to Europeans ?—Yes. Some of them are old people. They cannot work the land, so they lease it.

52. Then, do I understand you rightly in this : that the Public Trustee ought to allow and encourage Natives like yourself to lease these lands—that Natives like yourself should have the first privilege of leasing these lands ?—It is not right that the Public Trustee should lease those lands.

53. Then, you mean that those Natives who have got occupation licenses ought to have the privilege of leasing their holdings either to Natives or to Europeans ?—Yes ; they should get the best rent they can.

54. Do you not think that it would be to the best interests of such Natives, if they do not cultivate these holdings themselves, that the Public Trustee ought to have the power to take the land back again and lease it by public tender ?—That would be taking away their land.

55. Do you not think it would be better in cases where Natives have got an occupation license and do not cultivate their land—do you not think it would be better for the Public Trustee to take that land back again and lease it by public tender or by auction ?—They should get a maintenance off the land. They maintain that they get a living off this land, and they prefer that to handing the land back again to the Public Trustee to lease by public auction.

56. Yes, but what I want to know, Mrs. Thompson, from you is this : would it not be better, in your opinion, for the Public Trustee to take back these lands, if the Native does not cultivate them, and lease them for the Native by public tender or by auction ?—If that is to be measured by the way I have been treated by the Public Trustee, then I would say, no.

57. Well, let me put the question this way : Do you not think, with regard to these Natives who lease these lands privately to the pakeha—do you not think that if the Public Trustee was to take these lands back again, and put such leases up for public auction, that they would get more for their land ?—No ; I do not think so. I do not think they would get a larger amount than what they get privately. They say that they get better terms by managing it themselves. I would propose that the Maori should be given an absolute grant to his land, and then he would know which is his land, and do his best to improve that land ; whereas now he is uncertain whether he owns the land or not, and therefore he is discouraged.

58. *Mr. Wi Pere.*] I want to ask you as to the rental of the 72 acres. What ought you to receive for that land, without making any deductions ?—I do not know ; but I should say the proper rental for that land is from 14s. to 15s. an acre.

59. Well, then, what are you receiving now from the land ?—I think it is under 12s. an acre.

60. How much does the Public Trustee deduct each half-year ?—He deducts £8 2s. each half-year.

61. Then, who gets this £16 4s. yearly ?—The Public Trustee, I suppose.

62. Then, with regard to this land which is under the control of the Public Trustee, and on which there is a mortgage on the improvements, these improvements were mortgaged to the Public Trustee by the European for the sum of £384, and the revenue from the land was taken by the Public Trustee to pay interest on the mortgage ?—Yes ; I would like to point out, also, that I receive money from other sources outside altogether of these lands. I have bought lands of my own in other districts which I manage myself, and I do so successfully. I receive a good income from them.

63. *Mr. Vile.*] You hold a lease, Mrs. Thompson, similarly to Europeans ?—Yes.

64. I notice from your petition you are anxious to get the title, that is the fee-simple of the land. Is that so ?—Yes ; that is so.

65. You know, of course, that cannot be done without special legislation, the land being vested in the Public Trustee ?—Yes ; I am aware of that.

66. I notice in your petition that you say that the Europeans holding leases under the West Coast Settlement Act are agitating to get the freehold of these leases ?—Yes ; I desire that. I wish my lands handed over to me absolutely, and to manage them myself.

67. Then, why not join with these petitioners ? Why not join with them, seeing that you are in the same position as they are as far as this land is concerned ?

Interpreter : Mrs. Thompson asks what Natives are petitioning.

68. *Mr. Vile.*] Well, it is stated here in the petition that there is an agitation to get the freehold ?—Yes ; that is my position.

69. She says here that the Europeans are agitating to get the freehold of these lands ?—That is so. That is in regard to Europeans ; the present lessees want to get the freehold.

70. Well, what do you desire with regard to this ? Do you think it would be a good thing for the Natives or otherwise ?—No. I would not like the freehold passed to the Europeans. I would not like that.

71. You do not think that if the Natives had the value of these lands that it would be of as much service to them as the lands themselves?—No, I do not.

72. Suppose the money was invested for their benefit?—No; I would not like that.

73. *Mr. Wi Pere.*] Did you hear what the Public Trustee stated yesterday, that you had only a life interest in the land, and that when you died the land would revert to the Public Trustee—

Mr. Poynton: It goes to her descendants.

74. *Mr. Willis.*] I have just one question I would like to ask the petitioner. The land you occupy yourself is about 40 acres, is it not?—Yes.

75. And you have stated, I think, that you pay 7½ per cent. on the rent of that land to the Public Trustee?—Yes.

76. Well, the Public Trustee in his report states that that is not so. He says in his report, “No commission whatever is charged for collecting rent from the petitioner from the land she holds under the lease above mentioned.” Is that statement not correct?—He deducts £16 from my rents due on lands under his management.

77. I am asking, is Mr. Poynton’s statement correct or not?—[No answer.]

The Chairman: I understand that from the account she has had furnished to her she imagines that she is charged this 7½ per cent. on the £16 rent. The Public Trustee, however, says not.

78. *Mr. A. L. D. Fraser.*] If this land was leased to a European, he could sublease it to another European?—Yes.

79. He could lease it to any European he liked?—Yes.

80. But when your own land is leased to you, you cannot lease to anybody else—to a pakeha?—No.

81. Although it is your own land leased to you, you cannot lease it to a European as a European can with Native land?—No.

82. *Mr. Willis.*] With regard to the amounts which are being paid at the present time by way of commission, supposing that land was exempt from the 7½ per cent., would you be satisfied in that case?—I would still be dissatisfied in regard to that, and more especially in regard to the other land.

83. Are there many other Natives like yourself, who are educated and able to manage their own land—are there many in similar circumstances to yourself?—Yes, there are a good many of us.

84. And, as a matter of fact, are they all in accord with yourself? Do they all express the same wish?—In this petition I am asking on my own behalf. I have no authority to ask on behalf of others, but they are all dissatisfied.

85. *Mr. Kaihau.*] This petition that you have presented to the House is to ask to be allowed to manage your own affairs?—I ask to be allowed to manage all my lands—not the 40 acres only—but all my lands that are in the hands of the Public Trustee.

86. And you say in your petition that you will be able to manage your own land yourself?—Yes.

87. And perhaps there are other Natives besides yourself who are equally able to manage their lands in the same way?—My reply is that I sent in a petition on my own behalf. Let the others speak for themselves.

88. Well, is the land given to your tribe?—Yes, this land was returned to my tribe.

89. These are lands which were returned to your tribe—they were confiscated lands?—Yes.

90. They were returned to your people for their occupation and residence?—Yes.

91. Then, when the Act of 1892 was passed they were handed over to the Public Trustee to manage?—Yes.

92. Did the tribes of the West Coast agree to this Act being passed and their lands handed over to the Public Trustee?—No. They did not give their consent to it. They sent in a petition at the time protesting against the passing of the Act. This is a paper on the Act of 1892. [Pamphlet “West Coast Settlement Act, 1892,” handed in.]

93. And you say that you object to the manner in which you receive your rents, and the way in which you receive your accounts from the Public Trustee?—Yes. I object to the large amount of deductions. If I had the land myself the deductions would not be so great.

94. In connection with this lease of 40 acres, you say that you are paying rent for your own land—the land which was returned to you?—Yes.

95. What is the rent you pay?—£16 4s. per annum.

96. You say that you ought not to be asked to pay rent for your own land—that is what you mean?—Yes.

97. And you wish to have the land under your own control?—What I mean is this, that instead of being a tenant or lessee I should have a grant, and I should occupy the land as a freeholder.

98. You say that as the land is your own you should not have to pay rent to the Public Trustee for it?—Yes.

99. This land was leased to you by the Public Trustee, and you are put upon it to manage it like a European?—Yes, I am now farming the land. I manage everything in connection with it. I also manage other lands which I have bought.

100. And do you think that many of your tribe would be able like yourself to manage their own land?—Yes, some of them are farmers.

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.

Lysaght did not pay cash, but executed a mortgage for the value of the improvements, and the interest was paid to the Natives in the usual way. The statement of the petitioner to the Committee that the Public Trustee lent her money to Lysaght and charged her interest on it is nonsense. No money passed to him, and she, with others, received the interest due under the mortgage. The new rental was £113 15s.; the interest on the mortgage £19 4s. 3d.: total, £132 19s. 3d. The old rental was £67 10s. The rates due by the petitioner have nothing whatever to do with the Public Trust Office. They are fixed by the local body. She appears to think she has cause of complaint against the office because it deducts these rates before paying her her rents. The office does this in all cases. It is obviously more convenient for the Natives and the local bodies for this to be done. If the local body had to hunt up each Native for his proportion of the rates there would be trouble. Some Natives are interested in several grants, all in different districts, and they may get but a few pence from each grant. The local bodies could not collect rates without great expense and inconvenience, and if claims for them were enforced the rents in many cases would vanish in Court fees.

The repeated statement of the petitioner that she is charged commission on the rent she pays under her lease is incorrect. She is entitled to nearly £70 per annum. From this, rates, land-tax, and Public Trust Office commission are deducted. She is then paid the balance less the amount due under her lease—£16 4s.

An explanation as to this lease held by the petitioner must be given. Originally an occupation license, it was converted under the Reserves Amending Act of 1893 into a perpetual lease. Occupation licenses are peculiar to these reserves. The system was introduced in order to encourage Natives to abandon the communism of the kaingas and to stimulate individual effort. A Native who had his own plot of ground would be more likely to cultivate it, fence it, and use it to the best advantage than if the place was the common property of the hapu.

When a grant contains more land than is needed for the support of the Natives interested, the portion not so required is submitted to competition under perpetual lease. If the Natives occupying the remainder desire it, the whole or a part of the unleased land is given to individuals, partners, or families who want a portion for their exclusive occupation.

The Reserves Agent consults with the beneficiaries of the grant, and the division is agreed upon, the boundaries of the occupations being fixed, subject to survey. As soon as convenient after the arrangement, a surveyor is employed and a proper plan of each part made, and licenses are then issued with accurate plans indorsed. These documents are of the simplest nature, but they give the holder an exclusive right to the area mentioned, and protection for his crops and improvements. They also in a small way gratify the Native desire for mana. They vary in size from a few acres to 200 acres or more. Natives have to pay rent for them. This fact is puzzling to others than Natives, but the answer to the question, Why should Natives pay rent for their own land? is this: In hardly any case do all the Natives interested in a grant live upon it. In some cases only a few out of many do. They may be anywhere throughout Taranaki or even in other parts of New Zealand; many of them permanently absent. In such cases those who are getting the exclusive benefit of a piece of ground belonging in part to others should pay something to the others for it. A rent is fixed which the occupier pays. As these rents are all pooled and repaid to those interested in the grant, including these same licensees, there is no hardship, while justice is done to those absent.

If every Native interested lived on the grant and no changes took place by succession it would be easy to give each family or individual a piece of ground of a value representing their respective interests, and in such case no rent need be or would be collected; but this is a hypothetical condition of affairs that is not found in reality. Some holders of these licenses surreptitiously lease to Europeans. The petitioner states that some licensees of the Hapotiki grant are doing this, and appears to think that it should be stopped, while in the same breath she complains of not being permitted by the terms of her lease to do the same. Such leases to Europeans are utterly valueless, and in most cases are simply a right to graze a few cows or other stock when feed is scarce and the Native has some to spare. If a Native has some surplus grass or turnips he has as much right to dispose of them as he has to sell his potatoes or fruit, and for the Public Trustee to prevent it would be an act of petty tyranny. Natives holding occupation licenses are, as a rule, more industrious and progressive than those living under the old communal system. There are 303 such licenses in existence, including altogether 20,304 acres; average area of each, about 66 acres. Where leasing to Europeans is abused it shows that the Native has more land than he requires for his use, and that there is a demand for it for leasing. In such cases the office will cancel the license, issue another for a smaller area, and lease the balance by competition in the interest of the absent owners.

By the amending Act of 1893 the holder of an occupation license could convert it into a perpetual lease, and the petitioner elected to do this with hers. In order to prevent the Natives doing this, and then dispossessing themselves by subletting or assigning to Europeans, such transactions were prohibited. Petitioner complains of this, but such precautions are necessary; not in her case perhaps. Her immediate successors, however, may not be so intelligent or well educated as she is. The average condition of the Native is still far from satisfactory, and, pending an all-round improvement, they must be considered as not yet sufficiently advanced to control the reserves provided for them.

Petitioner asks that Natives like herself should get a grant of her share and be allowed to do as she pleases with it—short of selling it. It must, however, be pointed out that these reserves are held on a different tenure from other Native lands. They are legally vested in a trustee and the Natives interested have life interests in them only, and are not in the same position as owners of other Native lands. If it were decided to grant petitioner's request to give titles to some Natives who had progressed more than others, what test could be applied? An educated Native is not necessarily a thrifty one, any more than is an educated European always a prudent person. Who is to judge of the fitness of the Native for such a concession? Again, a Native may be much above the average European in edu

cation, business capacity, and intelligence. His successors, on the other hand, may be half a dozen Natives hardly any of whom can speak English well, or one may be better educated than the others, but unreliable. To make a selection amongst these would arouse endless jealousy and discontent. What the petitioner asks is impossible to concede without reducing the whole system to chaos. Only very few of the West Coast Natives are at present educated, and to give them any large powers of control would be to expose them to be cruelly preyed upon by harpies of both races.

The petitioner says if the Natives were allowed to manage their own affairs they would get better rents than can be got by the Public Trustee. In some of these grants two or three hundred Natives are interested. The trouble of getting their signatures to a lease, the refusal of some to sign without a *douceur*, the necessity of getting the trustees to sign for the numerous infants, and the expense of employing licensed interpreters are some of the difficulties to be faced in getting leases from Natives. On the other hand, a lease is obtained from the Public Trust Office without any trouble. Even the preparation of the necessary documents is done at the office. A tenant having obtained a lease from Natives would have great difficulty in paying the rents. By the time his lease was completed and rents distributable, in all probability some of the Natives who signed it would be dead. He would then have to seek the successors. All these obstacles, delays, disbursements, and risks of error would have to be taken into consideration by him when calculating the profit of his undertaking, and the rent offered would be less accordingly. A man who would give more rent to Natives than to a Government officer who prepares all necessary documents and gives a tenure guaranteed by statute, at the same time relieving him of all responsibility as to distribution of rentals, would be bereft of his senses.

Regarding the petitioner's complaint that accounts are not furnished: An account is given to the chief owner in the grant at each distribution. This is explained to the others by the person who receives it. Accounts, as a rule, are not understood by Natives; but if any explanation is asked for it is given either by the Reserves Agent or from the office. No account is ever refused to any Native, no matter how small or in how many grants his interests may be. The petitioner would not get separate accounts for the other grants she is interested in, her shares in them being so very small. The accounts for these grants would be sent to the chief beneficiary. The petitioner, although an intelligent and educated Native, is unfamiliar with accounts, as shown by her statements about double commission, and her extraordinary belief that she was compelled to pay interest on the lessee's mortgage.

The office charge of $7\frac{1}{2}$ per cent. commission is not too high. The usual charge by commission agents is 5 per cent. for simply collecting rents on accounts, and paying them to his principal or into his bank account. The office has to see to all leasing, get surveys made, roads laid off, ascertain who are the Natives interested, collect rents, distribute them twice a year to the numerous beneficiaries, keep accurate accounts, attend to Native Land Court matters, and take the risks incurred in paying to the wrong persons or being involved in expensive litigation arising out of the relationship of the office to these reserves. Looking at the responsible and varied duties undertaken in connection with these lands, I feel no hesitation in stating that no estate of equal magnitude requiring similar duties in supervision is anywhere administered with greater economy. Formerly the commission was 10 per cent. It was reduced to $7\frac{1}{2}$ per cent. and the commission on rents from occupation licenses from $7\frac{1}{2}$ to $3\frac{3}{4}$ per cent.; and these charges cannot be at present further reduced. I wish the Committee to specially note that the rates $7\frac{1}{2}$ per cent. and $3\frac{3}{4}$ per cent. are not cumulative. They make the average rate of commission charged on all rents collected from lessees and licensees $6\frac{1}{2}$ per cent. When the leases first granted under the 1892 Act are renewed in about ten or twelve years' time, it will be at a largely increased rental owing to the rise in land-values, and these greater rentals not involving extra work the commission can be then further reduced.

In order to show that the office is not making money out of the Natives, as suggested by one of the Committee, I offer these figures for consideration:—

STATEMENT of RECEIPTS and EXPENDITURE in connection with Native Branch for Year ended 31st March, 1904.

Receipts.

	£	s.	d.	£	s.	d.
Commission on West Coast Settlement Reserves at $7\frac{1}{2}$ per cent., £1,586 18s. 3d.; at $3\frac{3}{4}$ per cent., £179 10s. 6d.	1,766	8	9			
Commission on Native reserve rents at $7\frac{1}{2}$ per cent. ..	669	12	8			
				2,436	1	5
Lease and consent fees				197	15	0
				£2,633	16	5

Expenditure.

Salaries—

	£	s.	d.	£	s.	d.
One-fifth proportion of Public Trustee and other officers not directly on the branch, but whose time is more or less occupied therewith ..	621	0	0			
Native Branch, Head Office	461	0	0			
New Plymouth, proportion salaries	371	0	0			
Nelson, half Agent's salary	87	10	0			
Greymouth, three-fourths Agent's salary	146	5	0			
				1,686	15	0
Carried forward				1,686	15	0

<i>Expenditure—continued.</i>					£	s.	d.	£	s.	d.
Brought forward .. .. .	..	..	..	..				1,686	15	0
Rent—										
One-fifth proportion Head Office	..	..	..	..	95	0	0			
One-half proportion Nelson	..	..	..	..	11	5	0			
Three-quarters proportion Greymouth	..	..	..	..	33	5	0			
Hawera Office	..	..	..	..	12	0	0			
								151	10	0
Travelling-expenses—										
T. W. Fisher (Reserves Agent)	..	..	..	..	175	0	0			
Officer accompanying at distributions	..	..	..	..	35	0	0			
Relieving agencies	..	..	..	..	20	0	0			
								230	0	0
Legal expenses, being half consulting barrister's retain-										
ing-fee	..	..	..	..				100	0	0
Printing and stationery	..	..	..	..				160	0	0
Clerical assistance on distributions	..	..	..	..				41	10	0
Auditing	..	..	..	..				48	0	0
Post Office services	..	..	..	..				150	0	0
Native Board expenses	..	..	..	..				27	0	0
Agents' Commission—										
Palmerston North	..	..	..	..	5	6	4			
Hokitika	..	..	..	..	10	3	8			
Tauranga	..	..	..	..	1	15	0			
								17	5	0
Profit	..	..	..	..				21	16	5
								£2,633	16	5

The annual profit, £21 16s. 5d., here shown is a nominal sum only, and is not sufficient for insurance against the many losses to which the office is exposed. Owing to the rapid multiplication of interests, the distribution becomes annually more onerous. In many grants the shares represented by one Native a few years ago are now divisible amongst five, eight, or more. I produce a list of those interested in Grant No. 3938, Ngatitara (see forward). One of the original beneficiaries is now represented by sixteen, another by thirteen, and many others by lesser numbers. In addition to this multiplication of interests, many of the successors are infants, and the office has to find out who have been appointed trustees for them in order to pay to the proper person. A further difficulty arises from the fact that one Native, say in Taranaki, may, on dying, leave successors in Kaiapoi, Motueka, Waikato, and elsewhere. These have to be sought for and paid, if only a few pence each. I cannot hold out any hope of a further reduction in rates of commission for the next ten years. The rate is already perilously near being too low. If the Native Branch of the Public Trust Office is run at a loss, such loss must be made good by the profits of the other branches, which would be unjust to the widows, orphans, and other beneficiaries in whose interests estates are administered by the institution.

The charges made by the petitioner against the Reserves Agent of neglecting his duty in not taking the rents to some Natives, and in taking orders on their rents, are not specific enough to reply to. No dates, names, places, or amounts were given, and such vague statements cannot be disproved either by myself or the Reserves Agent. Mr. Fisher is a most painstaking officer, and does not spare himself in the discharge of his duties. He knows every Native in Taranaki to whom he has to pay rents, and, as far as I know, always goes to where the Natives are. Amongst the many letters that I get from Natives on matters connected with their affairs, I have never got one hint of his failure in this respect. I am satisfied that the petitioner has been misinformed. If she will supply me with details, a full inquiry will be made.

As to orders on rents, these are wholly invalid, and cannot be accepted either by the Public Trustee or the Reserves Agent. No one goes around with the Agent except a clerk from the head office. Of course, the date of his visit to any place is always known beforehand, and no doubt those to whom Natives owe money take care to be present. A storekeeper or other person who has assisted a Native has a right to expect his account to be settled or reduced at distribution-time, and Natives should not object to such payments. Mr. Fisher has a strong affection for the Natives, and is implicitly trusted by most of them who know him. He would not, I am certain, lend himself to doing what is suggested by petitioner. I would respectfully suggest that the Committee do not report on the petition, if the report is to refer to this matter, until it has given the Reserves Agent an opportunity of being heard. He will be in Wellington in the course of a few days.

The Natives have a legitimate grievance in respect of the land-tax. It applies to Europeans and Natives alike where lands are held in trust for several owners; but, as there are few estates of large size held in trust for a great many Europeans, the tax falls heavily on Natives where a large grant is held in trust for many owners. In such cases the amount of land-tax paid by each Native is out of all proportion to his small income or interest in the reserve. This should be altered in fairness to the Natives, especially if the lands are in future to pay full local rates.

LIST OF GRANTEES, GRANT NO. 3938, NGATITARA BLOCK.

Number of grantee, 1: Grantees—Whahatiki, Whakarehu, Piriharakeke, Te One, $\frac{1}{4}$; Hinerangi No. 2, $\frac{1}{4}$; Te Toronga, $\frac{1}{4}$; Wharekare Pihopa, Haupupa Pihopa, Hinetau Pihopa, Taehaemoa Pihopa, Rihae Pihopa, Ngaruake Pihopa, Roka Pihopa, $\frac{1}{4}$; Ruamoetahuna, $\frac{1}{4}$ (the last ten also additional $\frac{1}{4}$); Pare te Uwhiuwhi, $\frac{1}{4}$; Waiwire, $\frac{1}{4}$, of 800 shares. Number of grantee, 2: Grantees—Manaia Ngatai Rakaunui, Te Ua Ngatai Rakaunui, Piri Taua Ngatai Rakaunui, Whakaeketa Ngatai Rakaunui (age, 20/04; trustee, Public Trustee), Ruarangi Ngatai Rakaunui (age, 17/04; trustee, Public Trustee), Rawea Ngatai Rakaunui (age, 9/04; trustee, Public Trustee), $\frac{1}{2}$; Nganiko, $\frac{1}{2}$, of 700 shares. Number of grantee, 3: Grantees—Whakatihi, 150 shares; Whakarehu, 150 shares; Piri Harakeke, 150 shares; Te One (age, 18/04; trustee, Te Toronga), 150 shares. Number of grantee, 4: Grantees—Ngahuru Tiwini, $\frac{1}{2}$; Ruapou Tonia Whenua, $\frac{1}{2}$; Kareko Wi Karewa and Waipounamu Karewa, $\frac{1}{2}$; Ringakura, $\frac{1}{2}$; Ngawhakakaa, $\frac{1}{2}$, of 500 shares. Number of grantee, 5: Grantees—Te Whana Mataka, $\frac{1}{2}$; Paora Mataka, $\frac{1}{2}$, of 100 shares. Number of grantee, 6: Grantees—Joseph James Ashdown, Sarah Dowsett, Emma Eure, Edward George Ashdown, Julia Ashdown, Mary Anne Ashdown, Anna Eliza Higgins, Alice Ashdown, James David Ashdown, $\frac{1}{2}$; George Ashdown, $\frac{1}{2}$; Maraia Guard, $\frac{1}{2}$; Sarah Jane Clegg, $\frac{1}{2}$; Ellen Wilberforce, $\frac{1}{2}$, of 500 shares. Number of grantee, 7: Grantee—Waiwiri, 600 shares. Numbers of grantee, 8 and 9: Grantees—Mohorangi Pateriki and Te Hatepe Pateriki, $\frac{1}{2}$; Manaia Ngatai Rakaunui, Te Ua Ngatai Rakaunui, Piri Taua Rakaunui, Whakaeketa Ngatai Rakaunui (age, 20/04; trustee, Public Trustee), Ruarangi Ngatai Rakaunui (age, 17/04; trustee, Public Trustee), Rawea Ngatai Rakaunui (age, 9/04; trustee, Public Trustee), $\frac{1}{2}$; Nganiko, $\frac{1}{2}$, of 600 shares. Number of grantee, 10: Grantees—Ngaruerangi (age, 16/04; trustee, Te Aio Poutu), Tini Poueru (age, 14/04; trustee, Te Aio Poutu), Te Manukewa (age, 13/04; trustee, Te Aio Poutu), 100 shares. Number of grantee, 11: Grantees—Te Aio Poutu, $\frac{1}{2}$; Ngaruerangi (age, 16/04; trustee, Te Aio Poutu), Tini Poueru (age, 14/04; trustee, Te Aio Poutu), Te Manukewa (age, 13/04; trustee, Te Aio Poutu), $\frac{1}{2}$; Te Haupupa Pihopa, Hinetau Pihopa, Taehaemoa Pihopa, Rahi Pihopa, Ngaruaki Pihopa (age, 20/04; trustee, Te Haupupa Pihopa), Roka Pihopa (age, 18/04; trustee, Te Haupupa Pihopa) $\frac{1}{4}$, of 100 shares. Number of grantee, 12: Grantees—Manaia Ngatai Rakaunui, Te Ua Ngatai Rakaunui, Piri Taua Ngatai Rakaunui, Whakaeketa Ngatai Rakaunui (age, 20/04; trustee, Public Trustee), Ruarangi Ngatai Rakaunui (age, 17/04; trustee, Public Trustee), Rawea Ngatai Rakaunui (age, 9/04; trustee, Public Trustee), $\frac{1}{2}$; Nganeko, $\frac{1}{2}$, of 100 shares. Number of grantee, 13: Grantees—Manaia Ngatai Rakaunui, Te Ua Ngatai Rakaunui, Piri Taua Ngatai Rakaunui, Whakaeketa Ngatai Rakaunui (age, 20/04; trustee, Public Trustee), Ruarangi Ngatai Rakaunui (age, 17/04; trustee, Public Trustee), Rawea Ngatai Rakaunui (age, 9/04; trustee, Public Trustee), 400 shares. Number of grantee, 14: Grantee—Nganeko, 400 shares. Number of grantee, 15: Grantees—Ngongi Turu Mariri, Hori Turu Mariri, Tupui Kura (age, 13/04; trustee, Hinerangi), 600 shares. Number of grantee, 16: Grantee—Renau, 590 shares. Number of grantee, 17: Grantee—Te Patu, 500 shares. Number of grantee, 18: Grantees—Wharekare Pihopa, Haupupa Pihopa, Hinetau Pihopa, Taehaemoa Pihopa, Rihae Pihopa, Ngaruake Pihopa, Roka Pihopa, 650 shares. Number of grantee, 19: Grantee—Ruamoetahuna, 650 shares. Number of grantee, 20: Grantee—Hinerangi, 600 shares. Number of grantee, 21: Grantee—Te Torongo, 600 shares. Number of grantee, 22: Grantee—Te Whakatihi, 250 shares. Number of grantee, 23: Grantee—Pare, 400 shares. Number of grantee, 24: Grantee—Whero, 650 shares. Number of grantee, 25: Grantees—Tapoko Ruamoetahuna, Mangu Ruamoetahuna, Ngahamanu Ruamoetahuna, Mohikura Ruamoetahuna, Tuteoropaki Ruamoetahuna, Taiakapu Ruamoetahuna, Te Ihonga Ruamoetahuna, Kohina Ruamoetahuna (age, 15/04; trustee, Ngahamanu Ruamoetahuna), Ruihi Ruamoetahuna (age, 9/04; trustee, Ngahamanu Ruamoetahuna), 600 shares. Number of grantee, 26: Grantees—Te Wharehoka and Hikawera Porua, 150 shares. Number of grantee, 27: Grantee—Wharepuehu, 400 shares. Numbers of grantee, 28 and 29: Grantees—Hatepe Peteriki, $\frac{1}{2}$; Mohorangi Peteriki, $\frac{1}{2}$, of 300 shares. Number of grantee, 30: Grantee—Te Atarau, 200 shares. Number of grantee, 31: Grantee—Hearangi, 200 shares. Number of grantee, 32: Grantees—Ngongi Turu Mariri, Hori Turu Mariri, Tupui Kura (age, 13/04; trustee, Hinerangi), $\frac{1}{2}$; Renau, $\frac{1}{2}$, of 20 shares. Number of grantee, 33: Grantee—Puangairongo, 50 shares. Number of grantee, 34: Grantee—Ripo Coffey, 50 shares. Number of grantee, 35: Grantee—Teoti Ashdown, 75 shares. Number of grantee, 36: Grantee—Maraea Guard, 75 shares. Numbers of grantee, 37 and 38: Grantees—Roka Paora (age, 18/04; trustee, Pohewa Ngaweruwere), Te Hou Whakarei (age, 13/04; trustee, Te Hau Ngarepeka), Wi Whakarei, Taumata Whakarei, 150 shares. Number of grantee, 39: Grantee—Takuta, 100 shares. Number of grantee, 40: Grantee—Te Putangimaiwaho, 100 shares. Number of grantee, 41: Grantee—Taiawhio, 20 shares. Number of grantee, 42: Grantees—Te Atarau Ripeka, $\frac{1}{2}$; Hearangi Matire, $\frac{1}{2}$; Te Whanairoto and Te Onge Paora, $\frac{1}{2}$, of 10 shares. Number of grantee, 43: Grantee—Ruaroa, 150 shares. Number of grantee, 44: Grantee—Rarowhenua, 50 shares. Number of grantee, 45: Grantees—Mereana Matuarei, $\frac{1}{2}$; Wiwini Horo, $\frac{1}{2}$; Here Horo, $\frac{1}{2}$; Piki Horo, $\frac{1}{2}$; Mare Horo, $\frac{1}{2}$; Ite Kere (age, 17/04; trustee, Mereana Matuarei), Raita Kere (age, 15/04; trustee, Mereana Matuarei), Here Kere (age, 13/04; trustee, Mereana Matuarei), $\frac{1}{2}$ (the last seven also additional $\frac{1}{2}$); Peti Parekawakawa, $\frac{1}{2}$; Ruaroa Pokaiheruini, $\frac{1}{2}$; Ngawira Makawe, $\frac{1}{2}$; Pihikete Eruini, $\frac{1}{2}$; Aukati Eruini, $\frac{1}{2}$, of 100 shares. Number of grantee, 46: Grantee—Nohomairangi, 20 shares. Number of grantee, 47: Grantee—Taikomako, 20 shares. Number of grantee, 48: Grantee—Te Hohoki, 50 shares. Number of grantee, 49: Grantee—Rohea, 50 shares. Number of grantee, 50: Grantees—Te Mana Ahurangi, Taihuri Katerina, Mate Kitawhiiti Katerina, Te Uaomene Katerina, $\frac{1}{2}$; Ngawhare Pounamu and Te Hikiotu Mita Karaka, $\frac{1}{2}$; Arakera Puaahiri, $\frac{1}{2}$, of 10 shares. Number of grantee, 51: Grantee—Pera Paora Mataka, 150 shares. Number of grantee, 52: Grantee—Mawene, 10 shares. Number of grantee, 53: Grantee—Te Kahui, 350 shares. Numbers of grantee, 54 and 55: Grantees—Mohorangi

and Te Hatepe, 60 shares. Number of grantee, 56: Grantee—Hone Pihama Tarake, 20 shares. Number of grantee, 57: Grantee—Hatape, 20 shares. Number of grantee, 58: Grantee—Te Moho, 20 shares. Number of grantee, 59: Grantees—Ripo Kawhe and Wini te Puangi, 50 shares. Number of grantee, 60: Grantee—Nikora te Wehi, 50 shares. Number of grantee, 61: Grantee—Erai Neta Henare, 50 shares. Number of grantee, 62: Grantee—Matena Pikiwata, 50 shares. Number of grantee, 63: Grantee—Uruwhare Uruhaha, 50 shares. Number of grantee, 64: Grantee—Riria Rongoipuhia, 50 shares. Number of grantee, 65: Grantee—Harahone, 50 shares. Number of grantee, 66: Grantees—Whero, $\frac{1}{2}$; Mere te Wehenga, $\frac{1}{2}$, of 50 shares. Number of grantee, 67: Grantee—Kararaina Kahuke, 50 shares. Number of grantee, 68: Grantee—Tuhakapiri Oriwia, 50 shares. Total shares, 15,070.

Mr. Poynton: I would like to explain, in connection with the expenditure shown in the statement, that branches of the office such as Wills and Intestacy are not put into this statement at all, they having nothing to do with it. One fifth of my own salary is charged to the Native Reserves Branch, also one-fifth of the Accountant's salary and one-fifth of the Examiner's salary. The services of the other officers are charged for according to the amount of work they do in connection with this branch. There is also under the office management a firm of solicitors in Wellington who are employed as consulting solicitors, to whom are referred all legal matters that cannot be decided by the office. In connection with the West Coast Reserves we reckon that half the salary of the consulting barrister should be charged against this branch, as such references are very numerous.

2. *Mr. Wi Pere.* I understand that so much per cent. is deducted out of every £100 for this, that, and the other purpose. What was the total amount deducted out of every £100?—£6 16s.

3. Does that include all your expenses—payment to this, that, and the other official? Is all that included in the £6 16s.?—Yes. There is a balance of £21 profits per annum payable to the office, but that more than goes in different ways.

4. What was the $7\frac{1}{2}$ per cent. that we were told about?—Seven and a half per cent. is charged on the rents collected from Europeans, the $3\frac{3}{4}$ per cent. on the rents collected from the Natives, making altogether the average of £6 16s.

5. What is the total amount of moneys received from all the lands under the control of the Public Trustee?—Well, I could not give the total amount, but from Taranaki I should say just about £26,000, say £25,800. Office expenses come to about £1,766—that is for everything, including the proportions of my own salary, the Accountant's, and the Examiner's. And the whole of the branch connected with the reserves do nothing else. Some Natives seem to think that the whole of the expenses of the office are paid out of their commission.

6. Is that £6 16s. paid out of the valuation of the land, or is it paid out of moneys received as rents?—Rents. If we get £100 we pay the £100 to the Natives less £6 16s. We pay £93 4s. In some instances the Natives have to pay a little more because their rents may be obtained largely from Europeans, with very few occupation licenses. If some of the grants have no occupation licenses then they have to pay $7\frac{1}{2}$ per cent. This year it may be $7\frac{1}{2}$ per cent., but next year it may be less, because some of the Natives may come in and take up occupation licenses. The amount varies between, say, $6\frac{1}{2}$ per cent. and $7\frac{1}{2}$ per cent. The average is £6 16s.

7. What is the meaning of this paragraph in your statement: "It must, however, be pointed out that these reserves are held on a different tenure from other Native lands. They are legally vested in a trustee, and the Natives interested have life interests in them only, and are not in the same position as owners of other Native lands"?—Suppose, Mr. Wi Pere, you have a block of land up the East Coast. That would be your own land. It may be subject to certain restrictions, but it is your own land. In this case you would only have an interest for life. The land would not be your own.

8. *The Chairman.* Does it not go to his children?—Yes, it goes to his successors.

9. *Mr. Wi Pere.* Well, you say when the Maoris die everything goes to their successors—the interests and rents go to their successors. Well, then, if this is so, the land is the Maoris'?—They have a life interest in it. The tenure is different. They cannot lease or sell the land.

10. What becomes of the land if there are no successors?—There are always successors. I never heard of a Native dying without successors. They take good care that there is somebody to succeed to the land.

11. Supposing Mrs. Thompson were to die, would her children succeed to her land?—Yes.

12. Then surely you cannot say that the land is not hers?—No. She has an interest in the land. She could not sell it.

13. Well, when the children die who does it go to?—To her children's children.

14. Does not the pakeha die usually between sixty and seventy years of age?—The Public Trustee lives always.

15. Yes, but that is nothing. That is merely the existence of a servant. It is a hand—an arm—working for the Maori. The Public Trustee has made two statements that do not seem to me to agree. He says, first of all, that the petitioner, Mrs. Thompson, is under a mistake in thinking that the land is hers, and yet he says she has a life interest in the land and that on her death it goes to her descendants. I say that no matter how the Public Trustee may desire to keep me in the dark as to the real meaning of what the Act says, I shall require the production of the West Coast Settlements Act, and I will look into this matter myself.

Mr. Poynton: What is it you want to know?

Mr. Wi Pere: According to Maori custom when a parent dies his child succeeds, but the pakeha people have put you in the position of being the hands of this woman. It is not that I am making any personal accusation or charge against the Public Trustee for a moment. It is the procedure that I am trying to get at. Until I find the Public Trustee capable of doing anything wrong I am not going to charge him with it—

The Chairman : I think it would be better, Mr. Wi Pere, to confine yourself to asking questions in reference to the statement made by the Public Trustee which has been read by the clerk. The principle of the management of these West Coast lands is not under the discussion of the Committee at the present time at all.

16. *Mr. Wi Pere.*] I understand by your statement you say that if, as the petitioner desires, the administration and leasing and all the matters of that kind of these reserves were placed in the hands of the Native owners, that they would not be able to get such good rents, and that the expenses would be very greatly increased?—That is quite right.

17. Now, supposing that was the case, and the Maoris were administering their own land; how many years would it take to run up these expenses?—I have known Maori leases to be hanging over for five and seven years.

18. Supposing a lease was completed in one year?—Yes. Well, there are in some of these grants three hundred and fifty Natives, who are living in all parts of New Zealand. Some of them may be infants. It would take many years to get them all.

19. Do you not think, Mr. Poynton, that after all there would not be such an expenditure for the Natives as the present system involves? Here is £6 16s. deducted regularly to the end of time?—Well, the man who would take a lease from the Natives would have to consider that he would be at the expense not of £6 16s., but probably of £45, and instead of the Native getting £97 4s., he probably would only receive about £60. The lessee would have to take that into consideration. He would have to find these Natives all over the country. Perhaps he might pay the wrong man, and have to pay again. He would, of course, take all this into consideration when making his lease.

20. Perhaps, Mr. Poynton, you mean those remarks of yours to refer merely to bush lands?—No. There are hardly any grants on the West Coast that are not held by, say, a dozen. Some are held by a hundred Natives. Some are held by two hundred, and some by over three hundred Natives.

21. Well, now, do you not think that if these grants were handed back to the Natives to administer themselves, and they were put up to auction and so on—do you mean to say that these conditions would still apply?—Yes. I say, instead of paying £6 16s. they would have to pay fully £40. I have not the slightest doubt about that.

22. If they are put up to auction?—Yes. The lessors would have to sign the lease, and when the lease was signed the man would not be certain that he had the right people.

23. You are perfectly certain then, Mr. Poynton, that the Natives could not administer leases of their own for these lands?—I am quite certain. The difficulty is this: There is a grant for, say, 3,000 acres. In that 3,000 acres probably four hundred Natives are interested, some of them possibly only in half an acre of the grant. The European would have to get each individual Native and would have to trace each individual share, and then he could not be certain that he had got them all. The end of it would be that half the land would be lying covered with gorse. It would not pay the European to give the rents after paying all the expenses.

24. Could not a committee be set up to administer their lands?—Yes, but it would require the whole law to be altered. I have nothing to do with that at all.

25. I would like, just as a test case, to see whether the Public Trustee is right or whether I am right in my view of the case. Would it not be possible, just for a test case, to take one of these blocks, and let them deal with it just for a trial? Then we would be able to see whether they could not administer their lands?—Yes. I have no objection to their trying that.

26. Very well, Mr. Poynton, you and I will arrange the matter?—Of course, you will have to get the law altered, because otherwise Natives could not give a valid lease.

27. I mean that you and I will consult about this, and see if we cannot find some way out of the difficulty?—Yes. I will be glad to consult with you.

28. With respect to certain lands in the occupation of the Natives, you have taken these lands away from them and let them on lease. Why did you do that?—Because there was too much for their use, and the Natives who were absent wished it.

29. I mean those pieces that have been subdivided to separate Natives?—We have never done that except only in two cases, and then it was deserved. Only two of these occupation licenses have been cancelled. In one case the Native would persist in leasing to Europeans, and in the other—I forget exactly what that was.

TUESDAY, 30TH AUGUST, 1904.

J. W. POYNTON, Public Trustee, examination continued. (No. 5.)

1. *Mr. Heke.*] I want to be satisfied as to the area of land owned by Mrs. Thompson, and the rents that she is getting from her several interests in Taranaki under the control of the Public Trustee. Can you give us this information, Mr. Poynton?—Yes.

2. I want the grants, acreages, and yearly rentals that Mrs. Thompson is entitled to?—I may say that Hapotiki was originally a larger grant, and was divided into two areas, now known as 3952¹ and 3952. In the former area Mrs. Thompson holds 112½ shares out of 300.

3. Do those shares mean acres?—In some cases they do, but in this case it would not be that. She has 112½ shares out of 300. The half-yearly rent is £26 4s. 2d. In Grant 3952, Hapotiki, she has different interests which accrued at different times. These interests are numbered and they represent different values. No. 12 interest represents seven twenty-fourths of thirty-three shares, equivalent to 9 acres 2 roods 20 perches. The half-yearly rental of that portion is fixed at £1 7s. 5d. No. 13 interest represents seven twenty-fourths of thirty-three shares, the area being the same as in the case of the previous interest—9 acres 2 roods 20 perches—and the rent 6s. 10d. half-yearly. Interest No. 26 is one-half of eight shares, and represents 4 acres. The half-yearly rent is 11s. 5d.

4. *Sir W. R. Russell.*] Whereabouts is this land?—It is a reserve at Hapotiki, near Hawera. It was originally one large grant, but the Natives divided, and Mrs. Thompson and several others took a smaller grant. It was then divided into two. I am speaking of the first one.

5. Why I asked was because the rentals seemed low for good land?—These are Mrs. Thompson's interests, but the other Natives may die, and she may get the land again. Still, the interests had to be kept separate because they may go to other Natives. Interest No. 29—these are all in the same grant—is seven twenty-fourths of $11\frac{1}{2}$ shares, representing 3 acres 1 rood 16 perches, and the half-yearly rent being 9s. 7d. Interest No. 33, seven twenty-fourths of twenty-three shares, 6 acres 2 roods 33 perches; half-yearly rent 19s. 2d. The total interest in No. 3952 is 33 acres 1 rood 9 perches, out of 4,174 acres. She has then in Grant 3954, Ngatihawe, one-half of ten shares—five, out of 2,047 acres. The rent of that is 8s. 7d. half-yearly. Her next interest is in Grant 3922, Mataikahawai, and is one-half of seven-twelfths of seventy shares, representing 20 acres 1 rood 16 perches out of 2,463 acres, and the half-yearly rent being 18s. 4d. Mrs. Thompson has a small interest in Polhill Gully here, but those are all her interests in the West Coast Reserves.

6. *Mr. Heke.*] Would you mind giving us the total yearly rentals Mrs. Thompson gets?—It comes to close on £70, but of course the deduction has to be made from that.

7. You deduct $7\frac{1}{2}$ per cent. from the major portion of this £70?—Yes.

8. With the exception of £16 4s., I think?—£16 4s. is the amount due under her lease. The net amount she receives is £50-odd.

9. One thing that strikes me as being peculiar is the office asking Mrs. Thompson to pay rent for an area of her own land?—It would not be fair to the other Natives interested, and who are absent, if she did not. That is the difficulty.

10. I understand the position to be that you ask Mrs. Thompson to pay rent for 40 acres of the $112\frac{1}{2}$ shares—to pay rent for her own land?—But she has an interest in the other portions of the area. If she got the 40 acres free it would not be fair to the other Natives at all, because she would be getting her share of the rent from the other portion of the land, and would not be paying rent for the portion she occupied.

11. *The Chairman.*] Are there any other interests in this portion that she lives on?—It is a part of the block.

12. I understand from you that Mrs. Thompson's interest has been individualised to a certain extent—that this 40 acres has been cut off for her—and on that you ask her to pay £16 4s. for rent. Does any other Native benefit by that £16 4s.?—The others get it.

13. Why should they get it if they have no interest in it?—That is not so; all have an interest in it as well as she.

14. But I thought this area was set apart specially for her?—No. First of all it was occupied by her under an occupation license. The rent then was the same as it is now. At Mrs. Thompson's request the occupation license was changed to a lease.

15. I understood from the documents you produced here, including the lease, that it was specially given to Mrs. Thompson and not to any other Natives?—That is what I say—it was an occupation license, but she converted it into a lease.

16. To her alone?—Yes.

17. *Mr. A. L. D. Fraser.*] If the Public Trustee's services in administering the land were disposed of, who would it belong to?—The Natives.

18. They are all interested in the 40 acres?—It is not individual property.

19. *Mr. Heke.*] Do I understand the position, then, to be this: Although Mrs. Thompson owns $112\frac{1}{2}$ shares, she is holding those shares in common with others?—Yes.

20. In a larger block?—Yes.

21. The $112\frac{1}{2}$ shares are still a part of the larger block?—Yes.

22. Not subdivided?—No. The title is different from that of other Native reserves, and it is difficult to make it understood; but the thing is like a partnership. In a partnership one partner may hold two-thirds of the shares and the other one-third.

23. Out of 300 shares Mrs. Thompson holds $112\frac{1}{2}$?—Yes.

24. But these shares are not subdivided into individual rights?—No; she has that interest in the total rent. If she likes to take a portion of that land on an occupation license, or, as she has done, being more advanced than the others, take a perpetual lease, she must pay rent for it. But that represents part of her interest in the block.

25. I wanted to get a clear understanding on that point, because I was under the impression that the shares were subdivided and a separate title had been issued?—No. As I say in the report, when the Natives want to occupy a portion of the land they arrange to do so, and of course it would not be fair to those who were absent if those Natives who were utilising the land did not pay rent. Those occupying the land must of course pay rent.

26. *The Chairman.*] Do any of the other Natives get a share of the £16 that Mrs. Thompson pays for this 40 acres?—Yes; it is divided amongst the others as well as Mrs. Thompson, according to their shares.

27. Then you must charge her $7\frac{1}{2}$ per cent. on the £16?—No.

28. That appears not to be dealing fairly with the other Natives?—Only two of these Natives have availed themselves of the Act of 1893, which gives them power to convert an occupation license into a lease—only two out of about three hundred. We do not charge them anything, but the other lands held under occupation license we charge $3\frac{1}{2}$ per cent. for administering.

29. Then the other Natives derive the same benefit from this piece of land that Mrs. Thompson lives on as she herself does, as far as rent is concerned?—Yes.

30. *Mr. Heke.*] In arranging with the Natives to allow them an occupation license, how do you

assess the value of the land?—That is settled between the agents and the Natives themselves. There is no competition. If there were, a white man might come along and offer more, or one of the Natives might pay more than another. I believe the Natives really give less than Europeans would. As I say, as far as possible the matter is arranged between the Natives and the agents; and I have had no complaints from the Natives about excessive rents.

31. What are your rates with regard to occupation licenses, where the Natives, after getting the licenses, do not use the land, but make private leases or sell the grazing-rights to Europeans?—We do not approve of it, because the object was not to allow some of the Natives to make these private leases and get rents from Europeans, and do the other Natives out of the money. Our idea was to settle the Natives on the land themselves, so that they would become industrious farmers.

32. *Mr. A. L. D. Fraser.*] You speak of the Natives who get the occupation leases doing the others out of the money they receive. Do they not have to pay rent for the land?—No, not as much as they get. A Native will give us 5s. an acre, and instead of settling down on the land he will let it to a European for 10s. an acre.

33. But the owners get their 5s. an acre distributed?—Yes, but this Native gets more than his share.

34. *Mr. Heke.*] Have you had occasion to cancel any of the occupation licenses issued to any of the Natives?—I can only remember two cases. In one case the license was cancelled, I think, because the holder persisted in doing the other Natives out of their rent, and in the other case because the holder refused to keep the land free from gorse and blackberries. I may say that we are in trouble with the local bodies through the same thing. They claim full rates when the land is leased to Europeans. They say, "Well, this Native is not using it. He has been away at Parihaka for the last six months, and there is a European running his cattle over the land. Why should it not pay full rates?"

35. Do I understand, then, that a Native who gets an occupation license from you may do other Natives, owning in common, out of their share of the money, because he gets a lease of the area under occupation license at a reasonable rate, as arranged between himself and your agent, and takes advantage of that by leasing the land to Europeans for a greater rent than he pays?—Yes. Evidently that man does not want the land for his own use, or he would not let it. In the second place, the land is of more value than the rent he is paying to the other Natives. Therefore he is doing the other Natives out of that which is their right.

36. You are not exercising any rights at all in regard to the cancellation of such occupation licenses as are used in this way?—We will do it. In fairness to the other Natives we ought to, so as to let them get the increased rent. The whole object of the occupation licenses was to encourage the Natives to be industrious and to give them protection for their individual efforts. But the system is being abused by men not doing that, but wandering over the country and letting the land to Europeans.

37. *Mr. A. L. D. Fraser.*] *Mr. Wi Pere* asked you a question the other day the object of which was to elicit your opinion with regard to the Natives managing their own affairs in the leasing of these lands. I will read you the question and your answer: "Well, now, do you not think that if these grants were handed back to the Natives to administer themselves, and they were put up to auction and so on—do you mean to say that these conditions would still apply?—Yes. I say, instead of paying £6 16s. they would have to pay fully £40. I have not the slightest doubt about that." That was on account of the expense of getting the lease?—I wish to explain that matter to *Mr. Wi Pere* and also to the Committee. I do not want him to misunderstand me. Forty pounds commission would not have to be paid, but the man to whom the land was leased would pay that much less. *Mr. Wi Pere* asked me as to the amount the Natives got out of every £100 received. I told him £93 4s., and said that instead of getting that I did not think the Natives would get above £60 if the Natives administered the lands themselves. I will explain to *Mr. Wi Pere*. He evidently does not understand the difficulty we have in these matters, and I think I will convince him that what I am saying is correct. I will give an example of one grant. I have not picked it out purposely; the file in connection with it was lying on my table the other day when I returned to the office from this Committee. It will give an idea of what we have to do in these matters. It is Grant No. 4040, containing 175 acres. The first dealing with it was this: Some of the Natives wished us to lease the land. Inquiries were made by the Native agent as to whether the Natives desired to have some of it for occupation. This led to correspondence with the intending lessees, and to the writing of letters by other Natives objecting to the leasing. Inquiries had to be made, and it was ascertained that these Natives who were objecting had no interest in the grant. It was then decided to call for tenders, and the advertising had to be seen to and the gazetting. After this, tenders were received, and the highest accepted. A lease had then to be prepared, and at that stage a question cropped up as to a burial-ground. Some of the Natives had then discovered that there was an old burial-ground with old graves on a certain portion of the reserve. A reserve of 5 acres had consequently to be made, and, of course, new arrangements had to be made with the tenant; he demanded a reduction of his rent on account of these 5 acres being reserved. This difficulty was got over, when the tenant discovered that he could do much better with a subdivision of his lease by giving 35 acres to another European. There was no objection to this, and two leases were prepared. Having leased the land, rates were paid, and an application was made by the office to the Native Land Court to ascertain the owners. All the papers in connection with this matter were, of course, drafted by the office free of any charge. The Court decided the ownership, the office being represented at the hearing, and bringing all the facts before the Court to assist it. The decision was that there were 196 Natives interested in this block of 175 acres. The next development was a long complaint to the Minister of Native Affairs, the office being accused of having betrayed the interests of a lot of these Natives by putting Natives who had no right into the block. A report had to be obtained from the Reserves Agent, the Native Minister had to be communicated with, and further correspondence took place with the Natives complaining, it being pointed out that this had nothing to do with the office at all, that it was a

matter for the Native Land Court, and that if they were dissatisfied they must appeal. Notice of appeal was given. The office had then to attend to other matters in connection with the appeal, and it was discovered that an Order in Council was necessary to give jurisdiction. All papers in connection with the Order in Council, getting it signed by the Governor and gazetted, had to be attended to by the office. Ultimately, the Appellate Court decided that some of the Natives included in the former order should not have been there. The decision of the Appellate Court was that 142 Natives were interested. We have now the list of these 142 Natives, and we shall have to pay them the rent which we get from this reserve. The rent amounts to £12 15s. a year, and our commission for all this work and all the distribution that will take place in years to come is 19s. 2½d. a year. This case is typical of many of the reserves. Mr. Wi Pere will, I hope, understand the difficulties in dealing with these matters, and I would ask him to think what the Natives would have to pay for all the work in this case. It would be much more than 19s. 2d. It would come, I am sure, to £10 a year. Or I would put it in this way: Does he think that that reserve would ever be leased at all if there was not some office like the Public Trust Office to do all this work in connection with it?

38. That is a very exceptional case; but I will not follow that up. I wish to come to your evidence where you object to the Natives having the management and leasing of their own lands, as you say that instead of the expense being £6 16s. per £100 it would come to about £40?—I am satisfied it would, and also that many of these leases would not be taken up at all.

39. You say it would come to £40. Take an imaginary case of £100 a year in rent coming from land, and you deducting 7½ per cent. for twenty-one years. How much would that come to?—Seven and a half per cent. of the total amount.

40. What would it come to in twenty-one years?—To a good sum.

41. About £157?—Yes.

42. And yet the reason you give for objecting to the Natives having power to lease themselves is that it would cost £40, but you charge £157?—It would cost them £40 a year. Every year they would get only £50 or £60 at the outside if the leasing were managed by themselves, where they now get over £90.

43. Your objection was—following your own evidence—that the expense would be not £6 16s. per £100, but probably £45. What would the expense of £45 a year be for?—For collecting, distributing, and doing all this work.

44. Your knowledge may be extensive as regards matters on the West Coast, but I can tell you of a case on the East Coast where there are three hundred owners of a block of land, and the tenant gives them a cheque and it does not cost them a sixpence?—If they come down they have the expenses of the journey to pay. I say that taking the total rentals of the reserves that the Natives get from us, if they had the management of these reserves themselves I am quite sure they would not get half, for this reason: A lot of expenses would be incurred in the case of the big reserves—expenses that are not at all paid by them now—and the small reserves would not be let at all. Consequently, the Natives would get no rent from the small reserves. How could 142 Natives lease a bit of ground of 175 acres?

45. It is done?—But the expense is great.

46. I do not think so; but that does not matter now. You still maintain, then, that the Natives would not get the same rents that you do?—I emphatically maintain that.

47. Are you aware that all leases have to go before a Judge of the Native Land Court, and they can be refused for inadequate consideration?—Yes; and look at the expense of bringing the matter before them. I am quite satisfied that we would have got more in some cases that I know of which have gone before the Court.

48. Your answer comes to this: that the Judges of the Native Land Court do not do their duty?—No; I do not say that. They have to take into consideration the expense of getting the leases and other expenses.

49. I do not think you are correct in suggesting that the Judge could or would only take into consideration the expense of it, because he has to consider whether the amount is a fair one?—The expense of getting the lease must be considered with the question of the rent.

50. You put down the expense at the paltry sum of £45 a year, and I certainly should have liked something a little more satisfactory to me in the way of explanation as to that £45. My own experience is that the Natives would get a much better rent—as is proved, I think, by your statement. You say you lease to the Natives at 5s. an acre, and they go and sublease at 10s.?—Yes.

51. Surely that is an illustration that the Natives can get a better price than you can?—No; because when those leases were given to the Natives—ten years ago—those lands were worth less than they are now. I am speaking in a general way about leases. Ten years ago we leased land at 3s. an acre. To-day we would get 13s. an acre for some of it. Men there have leases of areas of perhaps under 300 acres, and are selling their goodwill for £1,200. That is not our fault. The Natives could not have got any more at the time. The reason for this is the expansion of the dairying industry and the consequent rise in values.

52. *Mr. Heke.*] I understood you to say, in answer to a question of mine, that it was by friendly arrangement that you settled what rents were to be paid?—Yes.

53. And that the object in leasing the land to the Natives was to encourage them to work it themselves?—Yes; to encourage habits of industry in them; but in some cases the Natives will not work.

54. *Mr. Wi Pere.*] The Public Trustee leases the Native land, and then all the preliminary troubles are over; but that land continues under the lease which has been arranged by the Public Trustee, and regularly every year he deducts from the rental £6 10s. for every £100 of rent received. I can understand that in the first year, when all the necessary arrangements have to be made in connection with the lease, the expenses should be heavy during that year. Would not the Public Trust Department be

satisfied with charging that £6 10s. per cent. for, say, the first two years, and then reduce the per centage charged for collecting the rent to, say, 2 per cent. ?—No ; it would not pay the office at all.

55. You have all the trouble of arranging matters in the first place, and all the Public Trustee has to do after that is simply to collect the rent ?—Yes ; but the rents do not pay for the trouble in the first place. It has to be spread over a number of years. The first trouble is altogether more expensive than $7\frac{1}{2}$ per cent.

56. *Hon. Mr. Carroll.*] What is the commission charged now ?—Seven and a half per cent. on the collection of rents from Europeans.

57. And general administration ?—Three and three-quarters per cent. on those collected from Natives. Taking it altogether, the average charge is £6 16s.

58. Cannot you bear a further reduction ?—No ; not now. The rate will bear a reduction in about ten years, when the leases fall in and larger rentals are obtained. It will not mean any greater work on the part of the office, but it will mean a greater income. At present we would be simply running at a loss if we reduced the rate, and the other branches of the office would have to pay for it.

59. *Mr. A. L. D. Fraser.*] As a matter of fact, you do not make money out of leasing the West Coast lands ?—No ; it is the least profitable branch of the Public Trust Office business.

60. *Mr. Wi Pere.*] I understand, in connection with lands the owners of which have been ascertained by the Commissioners, or as the case may be, the Public Trustee has only to lease the land and collect the rent ?—That involves a great deal of trouble, as I explained before.

61. What are all these troubles ?—I do not want to repeat them, but they are very great.

62. The illustration you gave was only one particular block ?—Work of that sort occurs in five out of six cases.

63. Do any outsiders ever come and interfere with the owners of the lands that you are leasing ?—Yes ; they are what we call in the office “squatters.” They come and sit on the ground and try to cultivate it, and then we have to run them off.

64. *Mr. Herries.*] Are they Maoris or white men ?—Maoris.

65. *Mr. Wi Pere.*] It has been stated by certain people, including the witnesses who have been before the Committee, that in some years you pay the owners of lands under lease a greater amount in rent than you pay them in other years ?—That is correct. Sometimes a tenant cannot pay just at the time. He has to sell his cattle, perhaps, or something else, and we cannot collect the rent for that year. Sometimes it goes over the time, and the Natives get the money the next year.

66. *Hon. Mr. Carroll.*] They do not lose it ?—No.

67. *Mr. Wi Pere.*] Do you not have an understanding with the Europeans to whom you lease that if they are not in a position to pay one year they need not pay until the next year ?—No ; we always try to get the rent.

68. Then why do you not summon the European lessees ?—The Natives would have to pay the cost of the summons if we did. It is better for them to have to wait six months than to have to pay costs.

69. Why do you not try to make an example of one ?—We do ; we have in two or three cases.

70. You say that you have tried in two or three cases, but hundreds of people have told me what I say ?—There are very few cases. The Natives have every reason to be thankful for the promptitude with which their tenants pay. I do not suppose there are elsewhere as many leases where there is such a small amount in arrear.

71. I understood you to say that you have leased only two blocks of land to Native lessees ?—The Natives holding occupation licenses number over three hundred.

72. Suppose you allow Mrs. Thompson to lease her land, what will the preliminary expenses be in fixing up the lease ?—By law she cannot lease it to Europeans.

73. Supposing that you were removed from your administration of the land, and she had the right to lease it, do you mean to say that you consider it would cost her $6\frac{1}{2}$ per cent. every year to lease this land ?—It would not cost her that to lease it, but it would cost her more than that if she had to collect the rent for all her other pieces.

74. Going about and collecting the money would cost her more ?—Yes. She would have to come down to Polhill Gully to get 5s. 10d., or the tenant would have to send it up to her.

75. Could not the person by whom the amount was payable send it to her in a letter and save all this ?—Yes ; if he would do it ; but suppose he did not ? She would then have to employ a lawyer to hunt him up.

76. *Sir W. R. Russell.*] Is there no possibility of simplification of title—that is, amalgamation of interests ? Take Mrs. Thompson's case. It is impossible for me to follow you in the various small interests she has, but would it not be possible by some means to amalgamate the interests so as to simplify the title ?—It would be if all the interests were in one block ; but a Native may have shares representing a one-fourth interest in a block up in one part of Taranaki, and shares representing a three-fourths interest in another part, and so on.

77. Could it not be arranged that you should amalgamate Mrs. Thompson's interests, which are scattered about in different places, so that she could have a certain area in one place ?—That would be a matter of arrangement by exchange among the Natives themselves.

78. Do you not, from your knowledge of the administration of the West Coast Settlements Reserves Act, think such a scheme as that would be beneficial to the Natives ?—It would consolidate their interests ; but to carry it out would be a matter of, I think, insuperable difficulty, because a Native would say, “I do not want to have my $3\frac{3}{4}$ acres in a block down there and let you come here. I am satisfied where I am.” I do not think it would be possible. It could not be done.

79. *Hon. Mr. Carroll.*] It could by mutual agreement ?—Oh, yes ; but they have power under a recent Act to exchange land, yet in only one or two cases have they done so. If they wish to exchange land there is nothing to prevent their doing so ; and this remark applies to Mrs. Thompson.

80. *Sir W. R. Russell.*] Mrs. Thompson, to take her case, has a great number of interests in different localities. That prevents her from being a good farmer. If you could concentrate the whole of her holdings into one farm she might have a farm that would pay her to work, and be a good farmer?—But you would be giving to her the interests of some of the other Natives in Hapotiki. It might be done if she could come to terms with them.

81. Do you not think the Legislature ought to interfere in this matter?—I do not think it should, because the Natives may have a sentimental interest in some of the land. It would be in only a small percentage of cases where power to consolidate Natives' interests would be availed of.

82. You think the Maori Council could not arrange some scheme by which the whole of the country should be mapped out into divisions belonging to the different?—There would be again the difficulty of subdivision on a Native's death. The Natives have intermarried, and are so interwoven that I think there would be very great difficulty.

83. It seems that the condition of affairs in reference to the West Coast Settlement lands is very bad—that is inevitable, no doubt?—It was the intention that the Natives should have some lands for their own use, and lease the balance and get rent from it.

84. If the object of the Act was to settle the Native people upon the land, the administration, under which it cannot be divided, prevents the very settlement which the Act was passed to insure?—I think not. I think the lands have been very well settled, and the Natives have, wherever they have wished it, had the land for their own use.

85. What is the good of 120 shares, amounting to only 20 acres, say?—That is something.

86. Surely they could be transferred to some other block?—I do not think it is possible at all. I think the sentiment of the Natives for particular interests, and the difficulty of getting them to agree to exchange, would be insurmountable barriers.

87. *Mr. Herries.*] Has your office ever tried it?—Has the Agent ever explained to the Natives that this Act is in force?—We have a few cases of exchange, but these have been very small. For instance, if a Native was going to marry into another hapu, he would exchange a piece of ground with another Native.

88. Have the Natives knowledge of this power to exchange?—Yes; they exchange sometimes.

89. In Mrs. Thompson's case, if her interests were all consolidated into one, all these expenses that you referred to would not occur?—If Mrs. Thompson got some Natives to agree to an exchange there would be no objection whatever.

90. Supposing all the interests were consolidated in one block, all these expenses that you have mentioned would not occur?—No.

91. The expenses of £40 a year that you mention would be due to the dissemination of the interests, to a large extent?—Yes, of course; there are so many Natives interested in each block.

92. If Mrs. Thompson got her title individualised—supposing that could happen—the expenses would be very small as regards?—The cost of the individualisation of the title would swallow up most of the Natives' income for many years.

93. The expenses of £40 that you mention would be due to the dissemination of the interests?—Yes; to the multiplicity of interests.

94. And if the interests were consolidated?—If each Native on the West Coast could have a piece of land of his own and do as he liked with it, then it would be all right.

95. If he had a piece of land of his own and could do what he liked with it, then the expense would be very small?—Yes; there would hardly be any.

96. Less than 6½ per cent.?—If the Natives dealt with the land themselves the expense would be less, because they would not have all the work to do. If Mrs. Thompson had, say, 60 acres to herself, and was able to deal with the area, there would be no commission.

97. *Hon. Mr. Carroll.*] Where the Natives' interests are separated over different blocks and those blocks are under lease, there would be no immediate benefit by consolidation?—No; it is impossible with them now.

98. There would be no immediate benefit by consolidation, except, of course, that it would lessen the cost of collection and distribution?—Yes. Say there were 200 Natives interested in a grant and each had 10 acres, it would simplify matters.

99. But that would be the only benefit to accrue from consolidation where the different interests are leased?—Yes. It would lessen expense, probably.

100. The only object in consolidation that would be of any special advantage to the owner would be that he or she may live on the land and occupy it?—Yes.

101. But while the land is under lease that is impossible?—Yes; it is impossible. We reserve enough for occupation, as I said before.

102. To get over that difficulty you are empowered to issue occupation licenses?—Yes.

103. To issue them to the Natives there, irrespective of the particular allocation of their interests or the locality?—Yes; we adjust that afterwards. For instance, a Native has, say, ten shares in a block. He says the 10 acres are not enough and he wants 50. He gets 50, and then he has to pay rent to the others who own the 40.

104. Where a Native requires 50 acres for farming you give him that under an occupation license?—Yes.

105. That is simpler and better in every way than endeavouring to consolidate the Natives' interests in any particular block?—Ever so much. There is no expense. It satisfies the Native who *bond fide* wishes to occupy the land.

106. When you give 50 acres under an occupation license in that manner, you select the piece not according to its individual boundaries or the interests of the individual owners, but in a suitable position and area?—Yes; the best home we have for a Native. It has been remarked that the Natives

come here and complain, but I think that is only a very small proportion. We have 303 of these occupation licenses, and I do not think the holders of a dozen are complaining.

107. Your opinion is this, that if a Native wishes to live on the land and farm it, he is far better off by taking a select piece under occupation license than he would be by trying to consolidate his interest in any particular part of the district?—He would be in the same position. It would cost him, I do not know how much more, if he had to go and get titles.

108. *Mr. Kaihau.*] I think the Public Trustee, in his statement the other day, mentioned the entire area of Native land under his control. I forget exactly what the area was?—The area leased was mentioned. The total area under the control of the Public Trustee is about 186,000 acres—it is between 180,000 and 190,000. It was originally 200,000, but some blocks were lost through rascality.

109. What I want to get at is the total area under your control, whether leased or not leased. It is between 180,000 and 190,000 acres?—Yes.

110. Do I understand that you have valued the whole of this area?—Yes. Some is far back and has no roads to it, and is of very little value at present.

111. Can you say what the total area of this land is that you have now under lease?—Yes; 148,712 acres under lease and occupation license.

112. Supposing the Government saw their way to bring in a Bill to allow Mrs. Thompson and others in a similar position the administration of their own affairs, as they pray, would the Public Trustee object to that?—He cannot object to Parliament passing Bills.

113. What I mean to say is that, as the Public Trustee must recognise that the trouble between himself and the Natives whose estates he is administering is increasing year by year, I should take it he would not object to a Bill being brought in to remove all these difficulties?—The trouble is decreasing year by year. There is much less trouble than there was some years ago.

114. If, as you say, the difficulties are getting less and less every year, why do you not reduce the charges so as to make them less and less every year?—Because the present charges are no more than sufficient to pay the expenses of the office in connection with the administration.

115. Can you state the total amount of rent that you receive for the 148,000 acres which you have leased, and the total amount that you deduct from these rents before paying them over to the Maoris?—Yes. The total amount of rent is £20,977 from Europeans, and £4,819 from occupation licenses. The total deductions from these two items are £1,766 8s. 9d.

116. Does any part of these deductions come from the balance of the land which, although valued, is as yet unleased?—No; we do not deduct for what we have not got.

117. In your opinion, does this £1,766 8s. 9d., which is deducted year by year, pay your Department for the cost of administration?—No. It pays about the cost, but it does not provide anything for risks. We have losses—we must have.

Mrs. Thompson: To show you how we suffer under present arrangements, Mr. Chairman, I want to put in this telegram, dated the 29th August: “Mrs. R. S. Thompson, Wellington Hotel, Wellington. —Bailey interfering with us Ngawini’s land.—FRED. FANTHAM.”

Mr. Poynton: That has not come to our knowledge. Bailey’s actions have nothing to do with us.

Mr. Field: Does that refer to land under your control, Mr. Poynton?

Mr. Poynton: I could not say. I never heard of this before.

Mrs. Thompson: This man Bailey referred to in the telegram is a companion of the Reserves Agent—the Public Trustee’s officer up in the district—and always goes round with him.

Mr. Poynton: No; he does not always go round with the Agent. I can deny that emphatically.

Mr. Parata: Why does he interfere?

Mr. Poynton: I do not know anything about this at all. It is quite foreign to me. Bailey has no authority to interfere with the Natives. He is doing it without our authority.

Mrs. Thompson: This man Bailey continually goes round with Mr. Fisher and witnesses payments.

The Chairman: Is he a J.P.?

Mr. Poynton: He is a Native interpreter.

Mrs. Thompson: He has recently been made a J.P. by the Government. These are the people that the Government make J.P.’s of—these people who go about and cause trouble among the Natives. He (Bailey) continually advances moneys to the Natives on their rents, and attends when the rents are being paid by the Agent, and he gets from the Natives the cheques the Public Trustee pays them. And this is done in the presence of Mr. Fisher.

The Chairman: Without going into the matter at length, Mrs. Thompson, I think it would be better for you to bring it directly under the notice of the Public Trustee, and he will make inquiries and find out whether this is correct or otherwise. If these are only reports, you cannot expect the Public Trustee to answer whether they are correct or not, right away.

Mrs. Thompson: Very well. Tutange and myself have already placed the matter before the Public Trustee and the Minister. In regard to what has been stated about my lease, the Public Trustee’s agent said to me when my lease was drawn up that he would not take from me the £16 payable for the land that I occupy—my kainga—but that that would be merely mentioned in the lease. He said that it would not be deducted from my moneys or collected from me; but that the provision had to be inserted in the lease because it was necessary it should be there. He said that if I died and left the land, which was the subject of this lease, to some other person than a near relative of my own, then they would demand and collect this £16. But in spite of all this, I now see that this £16 has been deducted from my lease-moneys. I see it stated in the account. That is to say, I have never been paid this £16. The Public Trustee’s officer told me, as I have said, that they would not deduct this £16, but that I would have to pay commission on that £16, the same as is charged by them for collecting rents from Europeans. My husband was standing by my side when the officer said this to me, and I say that

the Public Trustee's officer misled me. In regard to the money lent for improvements made by the European on our leased land, Mr. Fisher said that no deduction would be made from my money to pay for these improvements—that is, that I would not have to pay interest on the money that he allowed. But I paid taxes upon the European's mortgage (that is set forth in the statement of accounts), and this mortgage was for the benefit of the lessee, and I should not be charged anything on that account. The Public Trustee has said that I was the only person who persisted in claiming 14s. an acre for the land leased by Lysaght. I want to explain that. That lease to Mr. Lysaght was for the land in the Crown grant of 300 acres; but the part leased to Lysaght embraces the main block outside, belonging to the people generally. So that altogether he leases more than 800 acres, including 225 acres of our 300-acre block. If that is added to the land in the main block outside it makes over 800 acres. I said to the Trustee in regard to the 225-acre block that what should be done was this: that under that section of the Act which provides that this may be done, the 225-acre block, being only about a mile and a half distant from the Town of Hawera, should be cut up into small sections and put up to auction in the open market, in order that the best possible price might be obtained, as is provided for in the Act. There are only four of us who own the 225 acres, which form part of the land leased to Lysaght, and I was the spokeswoman on behalf of the four of us regarding this piece. Then the Public Trustee's agent said to me, "Let it be leased to Lysaght," because Lysaght was a man of means and there would be no trouble about collecting the money from him.

Mr. Parata : You mean in making this statement to deny what the Public Trustee has said ?

Mrs. Thompson : Yes.

Mr. Parata : Do you deny what he said ?

Mrs. Thompson : Yes, I do. He said, "Let this land be leased to Lysaght." Previous to this the Public Trustee's agent came to me. We had a conversation in my house and there discussed the advisability of cutting this block up into three farms, and we there agreed upon a system of partition. I did not hear how it was subsequently completed. The next thing I knew was that we were called upon to go and give effect to the lease to Lysaght. Then I found that the lease of the 800 acres had been divided into two, one part being given to Lysaght and the other part to Lysaght's wife, so as to comply with the 640-acres limit required by law. The Public Trustee agreed to that being done. I think I was right in persisting in claiming that the rent for the 225-acre block out of the 800-acre area leased should not be less than 14s. per acre, because this 225-acre block was by far the most valuable portion of the whole of the 800-acre area leased. As to the Natives whom the Public Trustee said agreed to accept 10s. an acre for the whole 800 acres, I wish to point out that those persons had no interest whatever in these 225 acres which form part of the 800 acres. They were on the other end of the leased land. The Trustee's agent reasoned with me and tried to persuade me to *aro*ha this pakeha because he was an old lessee. I said that the only *aro*ha I would show him would be that I would consent to take 13s. an acre. I was willing then, as I said, to accept 10s. an acre rent for the balance of the land in which I was interested, together with the people who agreed to accept the 10s. They were not interested in the 225 acres, to which only four of us have a right. If I had had the leasing of this 225 acres of land myself, I would have obtained a much better rent for it than this 10s. 1d. per acre. There were three pakehas ready to take up this land besides Lysaght, and the Agent shut them out. By doing this he shut out these three people who would otherwise have come in—that is to say, he leased the 800 acres, including the 225, to this one man, and therefore shut out other tenants who were willing to take up this 225 acres, in three pieces. If tenders had been called we would have had three tenants now on the 225 acres, who would be paying a larger rent than we are getting for the land. Several Europeans told me they were willing to pay 14s. an acre rent for this land. I have 72 acres out of the 225-acre block, and 40 acres in the 75-acre block, where I live. Those are actually my own acres, every one of them. I applied for a lease of the kainga I occupied. I am paying rent for this, not that I want to pay it, but they demanded it from me. It is my own land. Then I have 33 acres in the main block outside of this, which is owned by the people in common.

Mr. Herries : Is that part of the 225 acres ?

Mrs. Thompson : No; it is outside of that, it is part of the 800 acres. I wanted to have the whole of these lands grouped together, and to have the administration of my lands in Hapotiki, and all other lands. I have told the Committee already how I am troubled by the administration of the Public Trustee's Department in connection with these matters.

Mr. Parata : Are there any persons besides yourself interested in these blocks who desire to have their lands allocated ?

Mrs. Thompson : I am the only occupant of this place, but I have heard that other people also would like to have their interests allocated.

Mr. Parata : Do you believe that if that were done it would be more satisfactory to them ?

Mrs. Thompson : Yes; but then they should not be called upon to pay rent as I am. The Public Trustee said that he had in his possession the money which represented the value of the European's improvements, and that he paid us the interest upon that.

Mr. Poynton : No, I did not. There is no such money in my possession at all. No money passed at all. Mr. Lysaght gave a mortgage.

Mrs. Thompson : I understood that in his statement the Public Trustee said he had money in his possession which represented the improvements made by this European.

Mr. Poynton : No. I said quite clearly that no money passed. Mr. Lysaght paid no money, but executed the mortgage, as he was entitled to do.

Mrs. Thompson : Well, that was one of the arguments made use of by the Public Trustee or his representative in order to induce us to lease to Mr. Lysaght—that he was a man of means and that therefore it would be advisable to lease the land to him. I have not received any money since December from that lease, and Mr. Zachariah told me only the other week that this pakeha had not paid his rent

yet, and that that was why I had not received my share of it—the money that the Public Trustee should have paid me in June last; therefore I am suffering that injustice. Another thing I want to know is, what has become of this £16 per annum that I should receive? I am asking the Public Trustee.

Mr. Poynton : It is distributed amongst the Native owners of the block.

Mrs. Thompson : I have already explained that these acres are my own exclusively. Out of the 300 acres I own 112½. That is actually my own. No one else has any interest whatever in it. For a portion of that 112½ acres the Public Trustee receives £16 rent. That is for the kainga I am occupying. Where is that £16? I say that that £16 should be returned to me. He has received from me already £38 as rent for my own land. I am calling upon the Public Trustee to refund this to me.

Mr. Poynton : It is refunded to all the Natives interested in the block. I can make it quite clear, perhaps, by putting a question to Mrs. Thompson : Would she like to occupy the land and receive the rent without contributing anything to the other Natives who have shares in the block as well as she?

Mrs. Thompson : I have here a statement of account, in which the amounts payable on my interest and other interests are all set forth, and I want to know where all this goes to?

Mr. Poynton : It goes to all the Natives interested in the block—to you as well as the rest.

Mrs. Thompson : The Public Trustee says that occupation licenses are issued to the Natives so as to let the Natives feel that they have a mana of their own. Would he like to be so treated himself?

Mr. Poynton : I would like to get 40 acres of land belonging to some one else, if I could, and pay only a small rent for it.

Mrs. Thompson : But my 40 acres are my own land?

Mr. Poynton : No. You have interests, but you have no definite acres in any of these reserves.

Mrs. Thompson : I have 112½ acres in this land.

Mr. Poynton : You have shares, but no definite area.

Mrs. Thompson : Yes, but they represent acres. It is here in his account. What do we know about shares?

Mr. A. L. D. Fraser : Who partitioned that 40 acres off—did the Native Land Court?

Mrs. Thompson : First of all, the Native Land Court. Then the Public Trustee divides up our shares upon the basis laid down by the Native Land Court.

Mr. A. L. D. Fraser : How many owners are there in the Rohepotae?

Mrs. Thompson : Four.

Mr. A. L. D. Fraser : And you are one of them?

Mrs. Thompson : Yes.

Mr. A. L. D. Fraser : There are 112½ acres?

Mrs. Thompson : Yes.

Mr. A. L. D. Fraser : In the Rohepotae there are 40 acres that you are occupying and paying rent for?

Mrs. Thompson : Yes, that is what I mean.

Mr. Herries : She gets some of that back?

Mr. Poynton : Yes. The rents are pooled and then divided.

Mr. Herries : How much does she get?

Mr. Poynton : A proportion—112½ shares out of 300. What Mrs. Thompson is complaining of is that she is not allowed to occupy that land and give the other Natives nothing for her occupation of it, while taking her share of the rent received from the whole.

THURSDAY, 8TH SEPTEMBER, 1904.

Mr. Poynton : I would like to make an explanation with respect to some statements which have been made by Mrs. Thompson in regard to Lysaght's lease. She complains that the office did not submit Lysaght's lease to competition. This could not be done. Lysaght had a statutory right to surrender his old lease and get a perpetual lease in place of it. The Public Trustee had not power to do as the petitioner suggests should have been done, that is, that the lands held under Lysaght's lease should have been divided into several farms and put up to competition. The Public Trust Office had no power to do that. She also complains that the Public Trustee allowed Lysaght's wife to obtain a part of the grant, and in this way get over the difficulty with regard to the restriction of 640 acres. Mrs. Lysaght had before the passing of the 1892 Act obtained a transfer from her husband of a portion of his lease. This transfer was registered, and she was therefore in the same position that he was, that is, she was entitled under the 1892 Act to surrender her lease and obtain a perpetual lease instead. There was no collusion. She had the right and it could not be prevented. I submit accounts which were furnished to the petitioner on the 31st December, 1902, the 30th June, 1903, and on the 31st December, 1903. These accounts will show at a glance the position. They will show the rents collected, the distribution to the beneficiaries, and the real statement of affairs with regard to the rent obtained from Mrs. Thompson for the 40 acres. They are as clear as it is possible to make accounts, and I do not know that the matter could be put in any simpler form. The petitioner still thinks we charged her commission on her rent. She is under a misapprehension. From her evidence, also, it is evident she thinks that this rent has been misappropriated, but it will be seen that it was divided with the other rents, and she received her share. She is entirely under a wrong impression as to what was done. That is all I have to say, Sir. [Documents handed in.]

1. *The Chairman*.] There is one point I would like to ask you in connection with these accounts, Mr. Poynton. It is with regard to the charges for rates paid by you to the local body. There is £2 2s. 10d. stated here. Do you include that in the 3¼ per cent.?—We charge the percentage on the gross income. We charge 7½ per cent. on the £66 9s. 7d., and 3¼ per cent. on the £9 16s.

2. You do not make any charge for paying these rates over to the local body?—No; we charge 7½ per cent. on rents received from European lessees, and 3¼ per cent. on rents derived from occupation licenses. No commission whatever is charged on Mrs. Thompson's own rent of £8 2s. per half-year. Mrs. Thompson is under a wrong impression altogether with regard to this rent. She imagines that we take this £8 2s. in some way and misappropriate it.
3. With regard to this payment of rates by the Public Trustee, does that entitle Mrs. Thompson to have her say in the local body, or is she excluded from that?—She would have the same right as a European.
4. Notwithstanding the fact that the rates are paid by the Public Trustee?—It would make no difference. She is exactly in the same position as a European tenant under this lease. As far as I know she is entitled to be on the roll. She is not on the roll—
5. She is not on the roll?—No; but as far as I can see she is entitled to be on the roll.
6. Mrs. Thompson: I would like to hand in some letters I received from the Public Trustee with respect to the renewal of Lysaght's lease.
6. This is some correspondence you have had from the Public Trustee?—Yes. [Documents handed in.]

STATEMENTS of ACCOUNTS of HAPOTIKI GRANT 3952^a.

Rents and Interest for Six Months ending 30th June, 1902.

Cr.		£	s.	d.	£	s.	d.
Rent and interest from F. V. Lysaght	...	66	9	8			
Rent from occupation licensees	...	5	16	0			
Rent from Mrs. R. S. Thompson (Kuini)	...	8	2	0			
					80	7	8
Dr.							
7½ per cent. office commission on £66 9s. 8d.	...	4	19	9			
3¼ per cent. office commission on £5 16s.	...	0	4	4			
					5	4	1
Amount for distribution					£75	3	7

Rent received as per Statement attached. (Amount for distribution, £75 3s. 7d.)

No. of Grantee.	Names of Grantees.		Shares.	Share of Rent.	Arrears.	Deductions.	Amount payable.
				£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Kuini Wi Rangipupu	..	50	12 10 7	..	..	12 10 7
2	Rihania	..	50	6 5 4	..	..	6 5 4
	Riakio	..		6 5 3	5 14 6	..	11 19 9
3	Kuini Wi Rangipupu	..	50	6 5 4	..	..	6 5 4
	Te Haupuhiroa	..		6 5 3	..	*1 8 6	4 16 9
4	Kuini Wi Rangipupu	..	50	12 10 7	..	*8 2 0	4 8 7
5	Riakiao	..	50	12 10 7	7 1 4	*4 7 6	15 4 5
6	Kuini Wi Rangipupu	..	25	6 5 4	..	..	6 5 4
	Kuini	..		3 2 8	..	..	3 2 8
7	Ngawira	..	25	1 11 4	..	..	1 11 4
	Ngawira Turingihau	..		0 15 8	..	..	0 15 8
	Heretaniwha	..		0 15 8	..	..	0 15 8
Totals			300	75 3 7	12 15 10	13 18 0	74 1 5

^a Rent payable by Mrs. Thompson (or Kuini), £8 2s.; and by occupation licensees, £5 16s.

Rents and Interest for Six Months ending 31st December, 1902.

Cr.		£	s.	d.	£	s.	d.
Rent and interest from F. V. Lysaght (six months)	...	66	9	7			
Rent from occupation licensees (six months)	...	5	16	0			
Rent from Mrs. R. S. Thompson (Kuini), (six months)	...	8	2	0			
					80	7	7
Dr.							
Paid for valuation fee	...	0	3	6			
Rates due 31st March, 1902, Hawera County Council	...	2	2	10			
Tax (land and mortgage), 1902-3	...	5	5	10			
7½ per cent. commission on £66 9s. 7d.	...	4	19	9			
3¼ per cent. commission on £5 16s.	...	0	4	4			
					12	16	3
Amount for distribution					£67	11	4

Rent received as per Statement attached. (Amount for distribution, £67 11s. 4d.)

No. of Grantee.	Names of Grantees.	Shares.	Share of Rent.	Arrears.	Deductions.	Amount Payable.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Kuini Wi Rangipupu	50	11 5 3	..	*8 2 0	3 3 3
2	Rihania	50	5 12 8	..	..	5 12 8
	Riakio	50	5 12 7	..	..	5 12 7
3, 4	Kuini Wi Rangipupu	100	11 5 3	..	..	11 5 3
	Te Haupuhiroa	50	11 5 2	..	*1 8 6	9 16 8
5	Riakiao	50	11 5 3	..	*4 7 6	6 17 9
6	Haupuhiroa	25	5 12 7	..	..	5 12 7
7	Kuini	25	2 16 3	..	..	2 16 3
	Haupuhiroa	25	2 16 4	..	..	2 16 4
	Totals	300	67 11 4	..	13 18 0	53 13 4

* Rent payable by Mrs. R. S. Thompson (or Kuini) for her leasehold, and by the occupation licensees.

Rents and Interest for Six Months ending 30th June, 1903.

<i>Cr.</i>		£ s. d.	£ s. d.
Rent and interest from F. V. Lysaght (six months) ...	66 9 8		
Rent from occupation licensees (six months) ...	5 16 0		
Rent from Mrs. R. S. Thompson (Kuini), (six months) ...	8 2 0		
			80 7 8
<i>Dr.</i>			
7½ per cent. commission on £66 9s. 8d. ...	4 19 9		
3¼ per cent. commission on £5 16s. ...	0 4 4		
			5 4 1
Amount for distribution ...			75 3 7

Rent received as per Statement attached. (Amount for distribution, £75 3s. 7d.)

No. of Grantee.	Names of Grantees.	Shares.	Share of Rent.	Arrears.	Deductions.	Amount payable.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Kuini Wi Rangipupu	50	12 10 7	..	*8 2 0	4 8 7
2	Rihania	50	6 5 4	..	..	6 5 4
	Riakio	50	6 5 4	..	..	6 5 4
3	Kuini Wi Rangipupu	100	12 10 7	..	..	12 10 7
4	Te Haupuhiroa	50	12 10 7	..	*1 8 6	11 2 1
5	Riakiao	50	12 10 7	..	*4 7 6	8 3 1
6	Haupuhiroa	25	6 5 3	..	..	6 5 3
7	Kuini	25	3 2 8	..	..	3 2 8
	Haupuhiroa	25	3 2 8	..	..	3 2 8
	Totals	300	75 3 7	..	13 18 0	61 5 7

* Rent payable by Mrs. Thompson (or Kuini), £8 2s.; and by occupation licensees, £5 16s.

Rents and Interest for Six Months ending 31st December, 1903.

<i>Cr.</i>		£ s. d.	£ s. d.
Rent and interest from F. V. Lysaght (six months) ...	66 9 8		
Rent from occupation licensees (six months) ...	5 16 0		
Rent from Mrs. R. S. Thompson (Kuini), (six months) ...	8 2 0		
			80 7 8
<i>Dr.</i>			
Tax (land, £4 1s. 9d.; and mortgage, £1 4s.) for 1903-4 ...	5 5 9		
7½ per cent. commission on £66 9s. 7d. ...	4 19 9		
3¼ per cent. commission on £5 16s. ...	0 4 4		
			10 9 10
Amount for distribution ...			69 17 10

Rent received as per Statement attached. (Amount for distribution, £69 17s. 10d.)

No. of Grantee.	Names of Grantees.	Shares.	Share of Rent.	Arrears.	Deductions.	Amount payable.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Kuini Wi Rangipupu	50	11 12 11	..	..	11 12 11
2	Rihania	50	5 16 6	..	..	5 16 6
3	Riakio	100	5 16 6	..	..	5 16 6
4	Kuini Wi Rangipupu	100	11 13 0	..	*8 2 0	3 11 0
5	Te Hauphiroa	50	11 13 0	..	*1 8 6	10 4 6
6	Riakiao	25	11 13 0	..	*4 7 6	7 5 6
7	Hauphiroa	25	5 16 5	..	..	5 16 5
	Kuini	25	2 18 3	..	..	2 18 3
	Hauphiroa	25	2 18 3	..	..	2 18 3
	Totals	300	69 17 10	..	13 18 0	55 19 10

* Rent payable by Mrs. Thompson (Kuini) for her lease, and also by occupation licensees.

HENI TE RAU (MRS. BROWN) examined. (No. 6.)

1. *The Chairman.*] Have you anything further to add, Mrs. Brown, to this petition of yours?—Yes, Sir. I would like to explain to the Committee the grounds upon which I have brought forward this petition again. I petitioned the House upon the same subject last year. I petitioned last year for the removal of the control of the Public Trustee from my land, and I am now petitioning again this year. I wish to have my land under my own control. I was given to understand by Major Parris that this particular piece of land was given back to my people on the distinct understanding that it was to be held according to their Maori ancestral rights, and my people occupied the land. They were under this impression, that the land was to be held according to Maori ancestral rights, and that is what was stated by the Commissioner in those days, Major Parris, who put them on this land. It was only when the Public Trustee made an application in 1902 for the subdivision, or rather to ascertain the relative interests of those in the grant, that we discovered that we had absolutely no right whatever to the control of this land. I objected on the grounds that this particular piece of land was set apart for my own people, the Ngatimutunga, but the Public Trustee disputed this and said it was to be held on equal shares with all the rest of those who returned from the Chatham Islands. But there were two or three hapus amongst those who returned from the Chatham Islands, and their respective reserves were all set apart. There was the Ngatitama Hapu, the Ngatimutunga Hapu, and the Kekowai Hapu. These were the three hapus that came over with the Ngatikura. To show that my contention is correct, I would like to point out that it is shown in the West Coast Commissioner's report that when these reserves were made it was on the distinct understanding that they were for the five loyal hapus, the Ngatitama Hapu, the Ngatimutunga Hapu, the Ngatiawa Hapu, the Puketapu Hapu, and the Taranaki Hapu. These were the five loyal hapus. It was under this feeling that my people lived upon this land, and they expected to be treated accordingly. But the Public Trustee, as I have explained, disputed this, and the case was taken to the Native Land Court at Urenui, and the case was given against me. I appealed against this decision of the Native Land Court to show that we were the people for whom this land was intended, and the Judges of the Appellate Court gave their judgment in my favour. I have here a copy of the judgment of the Appellate Court. It is as follows: "Extract from Whanganui Appellate Court Minute-book (No. 8), Folios 251 to 254.—Date, 7th July, 1903.—Judges, Chief Judge Davy and Judge Butler.—Section 2, Block 3, and Sections 24 and 25, Block 4, Waitara.—Appeal of Heni te Rau.—This is an appeal from the decision of the Native Land Court at Urenui on the 19th day of November, 1902, defining the relative interests in the above land. The land in question (789 acres) was granted in 1884 to sixty-nine persons. It is claimed by the appellant that the land was intended exclusively for the Ngatimutunga Hapu, to be held in accordance with their ancestral rights. On the other hand, it is contended that the land was intended for all the persons of that hapu and others who returned from the Chatham Islands in 1865, and that the rights should be equal. The Native Land Court accepted the latter view, and made the shares equal amongst all the grantees. This decision is now appealed from. At this distance of time it is difficult to get such information as would enable the Court to say with certainty what was intended. We find, however, that in 1887 an application was made to the Court to partition the land. At that Court the attendance of persons interested was much more numerous than at the present Court, but it does not appear to have been set up by any person at that time that the shares were equal. On the contrary, all the claims set up were on the basis of unequal interests. It is too late now to claim that the shares should be equal, nor do we think that it was intended. Such evidence as is available seems to point to the land having been intended principally for Ngatimutunga, and that but for their ancestral rights in the district it would not have been awarded. With the exception of Roimata (Te Porihi) none of the persons interested have thought it worth while to oppose this appeal. The following is the apportionment decided on (the amount deposited—£10—to be returned to the depositor): 1, Hami Te Maunu, 20 shares; 2, Apitia Punga, 20 shares; 3, Naera Pomare, 20 shares; 4, Rangipupoaho, 20 shares; 5, Paina Te Poki, 20 shares; 6, Rangihaea, 20 shares; 7, Matarena, 20 shares; 8, Kirihaehae, 20 shares; 9, Te Ratarewa, 20 shares; 10, Makarini, 20 shares; 11, Tangotango, 20 shares; 12, Ihakara Peru, 20 shares; 13, Matire, 20 shares; 14, Makareta Tamihana, 20 shares; 15, Haurangi, 20 shares; 16, Tutere, 20 shares; 17, Tiopira, 20 shares; 18, Mae, 20 shares; 19, Tiarei, 20 shares; 20, Wi Pepene, 20 shares; 21, Rihi Mohio, 20 shares; 22, Tukawariri, 10 shares; 23, Wari Pitiroi, 10 shares; 24, Heremaia Ngamate, 10 shares; 25, Taiake, 10 shares; 26, Kihī, 10 shares; 27, Piri, 10 shares; 28, Riu, 10 shares; 29, Ngahiraka, 10

shares ; 30, Heni Hamuera, 10 shares ; 31, Te Āta Hamuera, 10 shares ; 32, Parehanga, 10 shares ; 33, Heni Apitia, 10 shares ; 34, Maiu, 10 shares ; 35, Toko, 10 shares ; 36, Ngapaki, 10 shares ; 37, Teoti Tutere, 10 shares ; 38, Tuta Tutere, 10 shares ; 39, Mitai, 10 shares ; 40, Merana, 10 shares ; 41, Anikamu, 15 shares ; 42, Haeanga, 10 shares ; 43, Wi Te Tahuhu, 14 shares ; 44, Te Paihi, 15 shares ; 45, Te Ahipaura, 5 shares ; 46, Witu Te Paea, 5 shares ; 47, Manawanui, 5 shares ; 48, Ema Kara, 5 shares ; 49, Hare Te Ouenuku, 5 shares ; 50, Taiwhanga, 5 shares ; 51, Hera Tarata, 5 shares ; 52, Rangiata, 5 shares ; 53, Maca, 5 shares ; 54, Piriha, 5 shares ; 55, Uia, 5 shares ; 56, Te Ropu, 5 shares ; 57, Henare Tarata, 5 shares ; 58, Karanga, 5 shares ; 59, Kohaku, 5 shares ; 60, Te Whao, 5 shares ; 61, Te Tuhanga, 5 shares ; 62, Titi, 5 shares ; 63, Wharemate, 5 shares ; 64, Turangapeke, 5 shares ; 65, Ruihi, 5 shares ; 66, Okoki, 5 shares ; 67, Te Muri Apitia, 5 shares ; 68, Materore, 5 shares ; 69, Titore, 5 shares.” Then after this I discovered that our right in the land was absolutely taken away from us under the Act of 1892. I then petitioned this House last year ; and while we were in Committee here, Mr. Poynton, understanding, I think from my evidence, that the piece of land was very small, and that it was mostly unimproved land, told me that I could go back and tell my people that they would not be disturbed. This was after the evidence had been taken. He said I could go back and tell my people that they would not be disturbed. Before I left I went to see Mr. Poynton again with respect to a lease that I had in connection with this piece of land. I told Mr. Poynton that I had leased a portion of the land. The portion of the land I had leased was 54 acres. I do not know whether I told him the area or not, but I told him that I had a lease and that I wanted to have some understanding from him as to my position. He asked me how long I had leased it for, and I told him that I had leased it for thirteen years, but that more than half of that had expired, or thereabouts. He then asked me if I intended to occupy the land outside of this piece, and as I had other interests I said “ No, I do not think so,” and he said “ Leave that to lease in the ordinary way.” There was nothing more passed between Mr. Poynton and myself, and I went home feeling satisfied that neither my tenant, nor myself, nor my people would be disturbed. I had not been home above a fortnight when I received a letter from my tenant, which he had received from the Public Trust Office notifying him to pay no more rent to me, because that portion belonged to the Public Trustee or was vested in him. I left Wellington about the 8th October, and you will notice this letter is dated the 28th October. This letter, which was sent to Mr. Greenwood, my tenant, is as follows : “ Public Trust Office, West Coast Settlement Reserves Agency, New Plymouth, N.Z., 28th October, 1903.—F. C. Greenwood, Esq., Urenui.—SIR,—Grant 5238 : With reference to your letter of the 26th instant, I may state that the Appellate N.L.C. orders have not as yet reached me. The position, however, is very clear. The 54 acres in your occupation, which are part of above grant, is part of W.C.S.R., and is vested in the Public Trustee under section 4, W.C.S.R. Act, 1892, therefore no agreement made with a beneficiary has any effect. It will be necessary for you to pay this office the sum of £9 10s. as being half-year's rent to the 31st instant, and you can remain in possession on a yearly tenancy at that rate subject to three months' notice on either side terminating agreement. If, however, you would prefer to have a fixed tenure, the Public Trustee can grant you a lease for a period not exceeding seven years, without public competition, and if you think it will suit you to take one, you can make an offer for a rental for that period. As this Department is shortly notifying lands for leasing, it is very probable that piece in question may be leased in ordinary tenure unless other arrangements are made.—Yours, &c., T. W. FISHER, Reserves Agent.” I wrote back to my tenant telling him I could not understand this action on the part of the Public Trust Office. The least thing they could have done was to have given me notice of their intention to take this action with regard to my tenant. I wrote to Mr. Fisher asking him the reason why he had disturbed my tenant without first notifying me. I also wrote direct to Mr. Poynton. This is the reply Mr. Fisher sent me : “ Public Trust Office, West Coast Settlement Reserves Agency, New Plymouth, N.Z., 14th November, 1903.—Mrs. J. Brown, Kohimarama, Auckland.—MADAM,—With reference to your letter of the 5th instant, in connection with the Urenui Block of land known as Grant 5238, I can only state that I assume you must have misunderstood Mr. Poynton's intentions, as when in conversation with him recently in discussing this matter it was decided not to interfere (unless necessary) with Mr. Greenwood's arrangements, but this I understood to mean only as far as his occupancy of the land (54 acres) is concerned.” Now, why did not Mr. Poynton tell me this ? He did not tell me that in his office. He said whatever arrangement existed would not be disturbed. That is what I understood him to say. The letter goes on, “ You mention in your letter that an arrangement existed between yourself and others for fifteen years in connection with this S.D. This is somewhat of a surprise to me as I understood you distinctly to state to the Judges of the Appellate Court when sitting here that the partition of 1887, which practically meant equal interest of the beneficiaries in this block, was ignored, and no action had since been taken hereon, that being the main factor with them in varying the decision of the interests of the beneficiaries of this block as defined by Judge Edgar.” With regard to this I do not understand what Mr. Fisher means at all. Mr. Fisher must be entirely wrong, which will be seen by the judgment of the Appellate Court which I have just read out to the Committee. I cannot understand what he means. The letter proceeds, “ I have again written Mr. Greenwood that he must pay up the rent without further delay. Unless he does so he will have to leave the land in question.—Yours, &c., T. W. FISHER, R.A.” When I received this letter I wrote back to Mr. Fisher and enclosed him a cheque for the £9 10s. I did not wish to have my tenant disturbed. He was a poor man and a hardworking man, and I thought it was a shame for him to be disturbed. He was very distressed when he wrote to me. I wrote to Mr. Fisher, enclosing a cheque for the £9 10s., and telling him that I was very sorry at the manner in which my tenant had been disturbed, and that rather than he should be put to any inconvenience I enclosed the amount of £9 10s. demanded. At the same time I wrote to Mr. Poynton. Then Mr. Fisher, on the same date, the 14th November, wrote to my tenant, Mr. Greenwood—

2. Did you get an acknowledgment from Mr. Fisher for that cheque?—No. He returned the cheque with a letter. I did not know at the time. I happened to be here in Wellington when the cheque was returned back to my husband. I came on here because, as I have explained, I had written to Mr. Poynton at the same time as I wrote to Mr. Fisher, when I heard that my tenant had been disturbed; also when I wrote to Mr. Fisher enclosing the cheque for £9 10s. I told him that I would meet him in New Plymouth and discuss the matter; but by that time I had received Mr. Poynton's reply to my first letter, and in consequence of that instead of my going to New Plymouth I came straight on to see Mr. Poynton, because I was just as surprised at Mr. Poynton's reply to me as I was with Mr. Fisher's. I will first read Mr. Fisher's letter to my tenant which was written to him at the same time that Mr. Fisher's letter was written to me. You will notice that they are both dated the 14th November. "Public Trust Office, West Coast Settlement Reserves Agency, New Plymouth, N.Z., 14th November, 1903.—F. C. Greenwood, Esq., Urenui.—SIR,—Grant 5238: With reference to my letter of the 11th instant, I have now to advise you that the Public Trustee informs me he has written Mrs. Brown as under: 'Mr. Greenwood will not be disturbed providing he pays rent to me in future, but I cannot allow you to receive it any longer. I trust, therefore, you will forward me, without delay, cheque for half-year's rent ending the 31st October, otherwise this Department will have to resume possession of the 54 acres under notice. Recognising that you have been to some expense in getting this portion of the land in order, the Public Trustee does not wish to disturb you more than is necessary, but having a number of beneficiaries interested in this land he, of course, has to protect their interests.—Yours, &c., T. W. FISHER, Reserves Agent.'" Now, this is Mr. Poynton's reply to my first letter: "Public Trust Office, Wellington, 11th November, 1903.—Mrs. Jane Brown, Kohimarama, Auckland.—MADAM,—Grant No. 5238: In reply to yours of the 6th instant, I have no recollection of having made any promise regarding the leasing herein. I was very much astonished to learn that you had leased this property, you having no right to do so. This reserve does not belong to Ngatimutunga. There are a great many Native owners who have a right to all rents upon this reserve and look to me to protect their interests in it. Mr. Greenwood will not be disturbed providing he pays the rent to me in future, for I cannot allow you to receive it any longer. I cannot say when I shall be in Taranaki, as the session is lasting a long time. I will, however, send you word when I shall be there.—Yours, &c., J. W. POYNTON, Public Trustee." I was so surprised when I received this letter that I came straight down to Wellington to see Mr. Poynton. The first person I met was Mr. Carroll himself. It was just at the close of the session. I said to Mr. Carroll, "Have you any recollection of the Public Trustee saying in Committee that I could go back satisfied, and that neither myself nor my people would be disturbed on that reserve from which I had asked for the removal of the Public Trustee's control?" Well, he did not quite recollect, but his reply was that he remembered something about it, but he could not say for certain. I said, "Well, will you read this letter of Mr. Poynton's?" I then showed him the letter I had received from Mr. Poynton. I handed this letter to Mr. Carroll; he read it, and he said to me, "Have you seen Mr. Poynton?" and I said "No." He said, "You must go and see him. He ought not certainly to have treated you like this." I said to Mr. Carroll, "You had better come with me," but he had other engagements and he could not come. I went and I saw Mr. Poynton, and I told him that I was very much surprised and astonished at his writing me such a letter as this on the face of what he had said to me, and he said, "Well, he had no recollection of it." I tried to remind Mr. Poynton of what actually did take place, but he said he had no recollection of it. I then asked him why he had not written to me in the first place, because I would probably have been able to explain the whole position. I said to him, "I consider that I am practically owner of that piece of land." I showed him my titles, which I now place before the Committee. [Documents handed in.] I showed him the subdivisions which had been agreed upon by my relations. I said to him, "I am entitled to this piece of land. It was subdivided by my own relations in 1887." I had been to the expense of getting survey plans for this land, which cost me between £30 and £40, and I considered with all the paraphernalia of the law, as it then existed, I was quite entitled to look upon that piece of land as my own. He admitted the hardship—I will say that of him—he agreed that there was a hardship, but he said it was the law. He said he had to administer the law. I asked Mr. Poynton if the law was likely to be righted, and he said "No." I am complaining of the law, not of Mr. Poynton. It is these arbitrary laws which I am complaining about, which are giving to one man the power to oust us out of our birthright. I said so to Mr. Poynton, but he said all he had to do was to administer the law. That is Mr. Poynton's position. He said it was just as harassing to him as it was to me. He said, "I am very glad you have come down, because it has put quite a different complexion upon the matter." I said, "Why did you not write to me?" He admitted he had been rather hasty. I said that as owner it was not the right thing to ignore me in the matter. If he had written to me all the trouble would not have arisen. It cost me between £12 and £14 coming down here to put this matter in a straightforward position so that he could understand it. He should have written me at first, but he did not write me. He ignored me. That is the position with regard to Mr. Poynton. I do not wish to say anything against Mr. Poynton. Mr. Poynton did not know what Mr. Fisher was up to. Mr. Poynton then said that he had received a letter from Mr. Fisher to the effect that a great many of the Natives had complained to him that I had no right to receive the rent of that particular piece of land. I said to Mr. Poynton, "This is very strange, considering I have had that land in occupation for sixteen or seventeen years, that these complaints should be made now." I asked Mr. Poynton to point out to me who they were who made the complaints. He then read me a portion of Mr. Fisher's letter, but he did not mention any names, and "therefore," Mr. Poynton said, "you see the position I am in." I said, "Yes, I see the position you are in." I then said, "Well, do this. I shall be prepared to face Mr. Fisher, and to face the grantees or the beneficiaries who have complained to Mr. Fisher in Taranaki face to face." I said, "Let Mr. Fisher bring these people who have complained to him as to whether I had any right to the land or not face to face with me, and I shall be prepared to meet them, and if they can prove that I have no right whatsoever, then I will return them the rent for the whole

of the seventeen years during which the land has been in my occupation.” I think Mr. Poynton can bear me out in this. I think he must remember my saying this. It was so arranged, and Mr. Poynton wrote a letter to Mr. Fisher telling him the arrangement we had made, and towards the end of January we met in Taranaki. Mr. Poynton wired me to say that he would be there on a certain date. I think I put it off for one day owing to my family being away on a holiday, but, however, I arrived at Waitara about half-past 8 in the morning, and I was out at the block, a distance of ten miles, about half-past 9. By that time they had gone over to the block. Well, we met at the pa, and the principal Natives were there. The real owners—those who possessed land in the block—were there. “Now,” I said to Mr. Fisher, “I suppose you know what you are here for?” I said to him, “Will you point out amongst these Natives who it is who has complained to you of my receiving the rent of that particular piece of land?” Mr. Fisher turned round and he walked away, and he said, “I cannot tell you anybody in particular. It was in conversation.” I said, “Then in conversation you tried to create this disturbance amongst the Natives.” I then turned round and I asked the Natives this. I said, “Is there any one amongst you who has complained to the Public Trustee that I have no right to this particular piece of land.” They said “No,” that they did not know of anybody having complained to the Public Trustee, and there was nobody there who had complained as to my having that particular piece of land. Then a man, the principal man named _____ said, “If there is nobody here who has made this complaint it must be one woman called Mrs. _____, who has been carefully concealed away from the meeting.” Then I said to Mr. Fisher, “You had better go and bring Mrs. _____ and I will show you that she has not one acre here.” Of course, the law has given her the right, and these are the kind of people that Mr. Fisher holds with to do a great deal of the disturbance that is created in Taranaki. The real possessors of the land have nothing to say against anybody. It is those who have got little or no interest in the land who create the disturbances. The law has given them the power to do this, and they do not care two-pence. They will not live on the land. They stay away at Parihaka and other places, and get the Public Trustee to extract from Mrs. Thompson and myself and others so much for these idlers. They will not live on the land themselves, and we have got to pay licenses to be distributed amongst these idlers. They are afraid, according to Maori custom, to go and live on the land because they know they have no right to it. They know that morally they have no right whatever to this land. That is the position with regard to the whole of the West Coast Settlement administration, and that is how we are treated. I have nothing to say against Mr. Poynton. I wish it to be distinctly understood that Mr. Poynton has always behaved well to me, but he says the law has to be administered. Therefore I pray and ask if your honourable House will relieve us of all this. That is the prayer of my petition—

3. You have not finished this interview with Mr. Fisher?—I then said to Mr. Poynton—

4. Was Mr. Poynton there?—Yes, Mr. Poynton was there with us. After this I said to Mr. Poynton, “What do you intend to do with me, because,” I said, “my petition is still in the House, and I intend to petition again?” “Well,” he said, “you are going to Auckland?” I said, “No, I am not going to Auckland to-night. I have other business to attend to.” “Well,” he said, “when you arrive in Auckland we will arrange the matter.” I went back home on the Tuesday following—this was on a Thursday—and it was arranged that we were to meet in Auckland. We met in Auckland, and I said, “What is the result?” and he said, “The result is, I return you back your money, and when I go back to New Plymouth I will instruct Mr. Fisher to return you back your money.” I waited for a fortnight or three weeks or more, but I heard nothing from Mr. Fisher. I then wrote to Mr. Fisher. I received a reply from Mr. Fisher saying he knew nothing of any arrangement such as I said had been arrived at in Auckland. Therefore, to prevent further misunderstanding I wrote at once to Mr. Poynton, and this was Mr. Poynton’s reply to me : “Public Trust Office, Wellington, 9th March, 1904.—Mrs. Jane Brown, Kohimarama, Auckland.—MADAM,—With reference to your letter of the 2nd, I have just seen Mr. Fisher, who informs me that you wrote him on this subject on the 7th February last. He was, however, busy with his rent-distribution, and unable to give attention to your letter until last week. You will, I presume, have received a letter from him about the date you wrote me. As far as the understanding exists between us, it is understood that the matters as they now are remain in abeyance, or, to put it more plainly, the proposed arranging of occupation licenses will stand over.” Now, there was no arrangement about occupation licenses at all as far as my recollection goes. “Regarding Mr. Greenwood’s rent, this will be returned to you, but you are not to take it as a recognition of your right to lease, and in the event of further dealings with the land you may at any time be required to refund it, together with rent to be paid you in future by Mr. Greenwood.” Now, that is how I am tied. I have to face the prospect of having to pay all that back again to the Public Trustee. Why should I be subjected to this? Then, Mr. Poynton gives us one of his reasons. “I may state that Mr. St. Clair, solicitor, of Auckland, has written to the office asking what has become of the interests of Haurangi, *alias* Pihuka, in this section, as he maintains that interests of the aforesaid deceased Native should go to her grandchildren, and he has been advised by this office that succession orders made in 1887 by Judge Wilson appointed you successor. This may, of course, lead now to a variation of the original order, so you will see my reason for being careful as to Mr. Greenwood’s rent.—I am, &c., J. W. POYNTON, Public Trustee.” This individual interest which Mr. Poynton mentions has nothing whatever to do with the point of my argument. That is not a matter for Mr. Poynton to decide at all. With regard to this individual interest which Mr. Poynton drew my attention to, I may say that she was an aunt of mine, but that has nothing whatever to do with the petition. It is altogether outside of the petition, and therefore it is not worth while my going any further into that matter. I say in my petition that I have been a ratepayer and a taxpayer. I have always been treated as a European. I have never been treated as a Maori as far as paying rates and taxes is concerned. I have brought my land-tax receipts for the Committee to see. [Documents handed in.] I am a British subject. The last amount I paid for myself, my daughter, and husband was £30 4s. 2d. That is for income-tax. And those receipts will show from year to year what I have paid towards the revenue of the country—

5. Have you paid rates to the local body?—My tenant has paid those rates. When I leased my farm and homestead I reduced my rent accordingly, so that he would be able to pay the rates and tax demands of the district—

6. With reference to this particular piece of land you are speaking about, does the tenant pay the rates on that land or do you?—The tenant pays in this way: Of course, when I leased this I had no idea that I was being encompassed with a network round me by the Public Trustee. I leased this 54 acres, including my homestead, at 7s. an acre right through. At first I think it was 8s. an acre, but we reduced it because this particular piece of land was nothing but a mass of furze, and we allowed him so much to clear it—

7. But does he pay the rates?—Yes, he pays the rates and taxes to the local body.

8. Is there anything further?—I would like to show the Committee the position of this piece of land. This plan here seems to me to make the whole thing quite distinct and clear. [Plan handed in.]

9. Was that confiscated land?—Well, it would be brought under the Confiscation Act, I suppose.

10. So that it all came under the West Coast Settlement Reserves Act?—Yes, because it was during Sir William Fox's time that this land was awarded. These awards had been hanging on ever since 1865, having never been defined or located until the Royal Commission defined and located them. And the Royal Commission was as careful as it could possibly be with regard to these five loyal hapus. They did not take any part in the fight at all. When the Commission made these allocations they said distinctly that the parties interested were to be allowed to subdivide their land as they pleased without Government interference. That is my point with regard to this particular piece of land. The land is ours absolutely. Major Parris is still alive, and he says that is correct. His evidence will be found here in this book. [Report of Royal Commission on "The Confiscated Lands Inquiry and Maori Prisoners' Trials Act, 1879, 1880," produced.]

11. Was not some of this West Coast land awarded to Natives who had been in rebellion, as well as to those who did not take part in the war?—Yes, that is so. But when these awards were granted it was distinctly stated by Sir William Fox in his report that the awards were given on the distinct understanding that they were to be free from Government interference. The report says, "These lands will hereafter be laid off in such blocks as may be convenient. The division of them will rest with the people to whom they are given. It will not be for the Government to settle the subdivision, but for the persons interested." And now we are to be brought under these cruel arbitrary laws—that is what we get for our loyalty—

12. *Sir W. R. Russell.* That is the report of the West Coast Commissioner?—Yes, Sir. And here is a copy of the title to this particular piece of land. [Document produced.] There is, of course, nothing there as regards the Public Trustee. The land is restricted, and we do not want to remove the restrictions. What my relatives and myself wish is to have this land for ourselves. There are only a few of us left, and I want them to feel that it is their own land, and that they should have the right to live upon it according to their ancestral rights as promised during their forefathers' time. Why bring this irritation upon the few remaining of my people? It is an irritation to them. The name of the Public Trustee is something terrible to them—

13. How long has this been going on?—Well, with regard to us, it has only been going on since 1902. It was when we found out that we were under the control of the Public Trustee that we petitioned the House. We had no idea before 1902 that we were under the control of the Public Trustee. I went to Major Parris on the matter, and he said it was wrong. He said the Public Trustee had no business to have anything to do with this particular piece of land at all. It was Major Parris who told me the whole of the history, which has been corroborated by my own people.

14. *The Chairman.* Did you know that this piece of land which you lay a claim to was included under the West Coast Settlement Reserves Act?—Yes; but of course I did not know for certain, because here are the two titles. [Documents produced.] These titles say that the land is to be for our people and their descendants hereafter, with the exception of the restriction of their not being allowed to sell. That I consider is quite enough restriction, without the irritation of being told you must do this or you must do that by the Public Trustee. There is a great deal of ill feeling existing over this very irritating administration. They feel that they are being bound hand and foot. This makes every Native careless. They say, "What is the good of trying to be better?" Then there is another thing. The Public Trustee—or rather Mr. Fisher—goes round to some of my people, and he will say that he wants certain land cut off. He has told some, "You have got quite enough land." He considers 20 or 25 acres as enough for a man with six or seven children. If it was good rich land it might be so, but where it is poor land it might not feed a rabbit in the winter-time. Well, the Public Trustee will have the assurance to tell him he has quite enough to live upon. The rest he wants to lease, of course, as a source of income. I have relations well able and willing to work the land, yet they are deprived of their land in this manner, because it is the law. The Public Trustee does just as he likes. They have got the land in their hands and they do simply as they like. I have brought up my family as pakehas. They do not know one word of Maori. I will give you an instance, showing what a farce the administration of the law is. My daughter does not understand a word of Maori. She only speaks English, and she had a cottage of her own which she was offered a very good price for. I advised her to sell it. But because she had Maori blood in her veins she had to go under the indignity of having the document translated into Maori and read over to her, because otherwise it would not be legal. She had to have that Maori document read over to her, although she did not understand a word of it, and then she had to go before a Justice of the Peace to swear that she understood that Maori document—

15. And she did not understand a word of Maori?—Not a word. That shows what a farce some of this legislation is. Then there is another matter I suggested to Mr. Poynton. I told Mr. Poynton that my people would like to survey their own respective pieces of land according to their Maori custom as recommended in the report of the Commission. I told him I was prepared to pay £50 out of my

own pocket, and that the rest of my people would pay another £50, making £100. I did not think that it would cost more than £100. Mr. Poynton said he would go into any arrangement we came to, but he could not allow us to pay for it. He said the Department must pay for the survey—the very thing we wanted to avoid, because probably we would have to pay interest upon that survey money. I do not suppose the Public Trustee will lend out his money without interest. With respect to this 54 acres I have mentioned, it is a prime piece of land, and the Public Trust Office takes good care to keep their eye upon that particular piece of land. But who has put the value on that land? I have done so, and my son has done so, and yet they would take a portion of that value away from us and give it to others who have no right there at all. That is the position. If they see there is a good piece of land of great value they say you must give it up to the rest of the grantees. That is the way I am treated, although this land is really my own land. This sort of thing is of daily occurrence. One of my relatives went to see Mr. Carroll when he was in Taranaki, and laid before him the wishes of my relatives. He explained to him that they wished to subdivide; that they wanted to be allowed to subdivide their land. Mr. Carroll said it was his wish that they should subdivide their lands. Mr. Fisher did not wish the subdivision to take place, but Mr. Carroll said that it should be subdivided. What was the consequence? I got a telegram yesterday saying that Mr. Fisher and two of the owners had met secretly about this subdivision, in order probably that the rest of the owners might not know. This is the telegram I received yesterday: “Mrs. Brown, Wellington Hotel, Wellington.—Fisher had secret meeting with Rangī and Teiti re division Matarikoriko. Owners not notified. What does this mean?—TAITOKO.” What can be the meaning of this mystery—

16. The two persons mentioned in that telegram, are they owners?—They probably may be in the same grant. It is a 500-acre reserve. Then, again, I get a number of complaints from Natives in every direction I go, and requests that I should do something to relieve this irritation of the administration of the law. The powers are so great, they tell me, that in consequence a great number of them go away to Parihaka, and there they remain. They do not care to come back. They cannot occupy their lands. They think they have no right on the land, that they are simply *mokais*. They can do nothing whatsoever without the consent of the Public Trustee.

17. *Mr. Parata.*] Do you know of any other Natives who are complaining?—Any amount of them.

18. It is a general feeling?—Yes; it is a feeling growing daily. I will give you an instance. This letter was handed to me the day before I left. I have been asked on several occasions to interfere, but I have always said No. However, the day before I came away, a Mrs. Stockman came to me and asked me to place their case before the Government, because she said they had no money, and could not get any money without going to the Public Trustee. She said, “Cannot you give us a helping hand?” I told her that unless she had something tangible to show it would be of no use, but that if she had something tangible to show me I would take it with me. She then wrote me this letter: “28th July, 1904.—MRS. BROWN,—I hereby declare that the land in No. 5 Block, in the Waihi District, in the occupation of the children of the late Edward Stockman (whom they succeeded), for which they now have to pay (to the Trustee) 3s. an acre above the rent they should receive, but have not received for the last two years. Being trustee for my children, I authorise Mrs. Jane Brown to use their signatures to help to bring things to a more satisfactory state.—EMILY STOCKMAN, Trustee.—Names of children, Cyril Stockman, Daniel Stockman, Stella Rose (*née* Stockman).” That is the position of Mrs. Stockman and her family. Then, there is Mrs. Skelton and her family. I could name dozens in the same position as myself, and they are all practically Europeans. Their children can scarcely speak a word of Maori.

FRIDAY, 9TH SEPTEMBER, 1904.

HENI TE RAU (Mrs. BROWN) further examined. (No. 7.)

1. *The Chairman.*] You were proceeding to state your case yesterday when the Committee adjourned, Mrs. Brown. Have you anything further to state?—Yes; I think so.

2. Have you anything further to add to what you have already stated?—Just a little. Yesterday I forgot to add that it was in 1877 or 1878 I was put in possession of this particular piece of land. That was before the subdivision. The subdivision took place in 1887. My uncle, Pamariki, placed me on this land, and helped me to build my house on this particular piece of land, knowing that I was the rightful owner according to Maori custom in the ancestral right, and from that time till now I have held it in possession. For the twenty years, of course, as I related to the Committee yesterday, I have held possession of it, and yet I have been told that my tenant has to leave it. I would like to point out to the Committee, if they would allow me, or perhaps the Committee would ask Mr. Poynton, as I understood him to say that if Mrs. Thompson's share had been cut off her rent would have gone direct to her, less the $7\frac{1}{2}$ per cent. Why I wish to draw the Committee's attention to this is, that it is not at all consistent with the Public Trustee's action towards myself. My piece of land, as I have said—I have shown the orders here—cost me the sum of £40 for subdivision. Well, after twenty years, I have been told that it does not belong to me. Therefore, Mrs. Thompson's case was totally different; she was told that she was totally different, and her interest was not cut off. Had it been so, her rent would have been sent to her direct. That is why I wanted to point this out to the Committee, because it is not consistent with the Public Trustee's action in demanding rent from my tenant, and giving him notice that if he did not pay in so many days he would be ejected, and that the Department would take possession of the land. I would like the Committee also to ask Mr. Poynton why Mr. Fisher was not present, because there would have been many questions that I should have liked to have asked Mr. Fisher myself. Why he was not here, perhaps the Public Trustee would be able to answer. My hapu is really a family hapu. We belong to one common grandfather and grandmother, and we are very industrious. We are not known to go about and idle the time away like half of those that are

in other huts. My hapu wish to toil to keep their land and to make use of it; but owing to the powers, I might say, given to the Public Trustee he debars us from keeping it, or he only gives my hapu what he thinks proper. As I have said in my petition here, my relatives are not allowed to keep their lands without a license issued by the Public Trustee, or a lease granted by him to occupy the land and pay him rent for the same as though they were not owners, charging $7\frac{1}{2}$ per cent. for collecting and paying it back to them, when they should occupy that land themselves and till it, whereby it would enhance their lives and better them. All these laws debar them from that, and there is no encouragement given to them. I handed in a telegram to the Committee yesterday to show how the Agent does the work or administers the law amongst the people. That is why I have petitioned this House and prayed that these disabilities may be removed from my people and my family. As I have said here in paragraph 7, these are most cruel and unjust laws that we are subjected to under the great power given to the Public Trustee. Our independence and our liberty is taken away from us entirely, and we are made to feel that we are mere serfs in the eyes of the world, and that, of course, grates very much upon my own nerves and upon the others. What safety or security have we got from the Public Trustee? If the control of the Public Trustee was removed from this particular bit of land, in the course of a few years we would work it in earnest. Under the present system my people are being debarred, and the Public Trustee's agent goes there and says, "You must clear the noxious weeds off this land; you grantees must go and do it, and, if not, I will take possession, and lease it to pakehas." My people do not get the benefit of this, and the rent goes away to those who do not occupy the land. As I said yesterday, we are made to pay for the idlers, which is an injustice to my people and to my family. This constant irritation under this administration of the Public Trustee's Department makes them idle and careless. They go away to Parihaka, and they say, "There we do not get irritated, and the Public Trustee does not annoy us." They also say, "What is the good of going back to the land that does not belong to us?" The reserves which I ask the Committee to recommend are, Tupara Reserve, 110 acres; a small reserve at Wairoa, 40 acres; and the present reserve that I have now petitioned the House about, that is 787 acres, I think, but I am not quite sure. These are practically my own family's reserves. Three parts of the grantees who are in the grant are not morally owners at all; they were placed there illegally, and these are the people that the Public Trustee's Department wishes to bring against these legitimate owners of the soil. That is why I wish to press upon the Committee that I feel sore that my family are being brought under the indignity of being made to feel that they were serfs instead of the occupiers of the land. I have children and I have grandchildren. I am educating my grandchildren because they are fatherless, and yet because they have Maori blood in them the British laws debar them. There are two generations, and not one of them understands a word of Maori. I would ask the Committee to allow me to show them that I have paid income-tax, to show them that I have been a ratepayer and income-tax-payer, together with my family, and I will hand in to the Committee all my receipts which I produced yesterday. I would earnestly ask the Committee to recommend that some legislation in the direction which I have here proposed be introduced. [Mrs. Brown then handed in to the Committee her papers in connection with the petition.]

3. *The Chairman.*] Have you anything further to add, Mrs. Brown?—No.

4. Have you got those deeds you had with you yesterday?—Here are my office receipts.

5. *Mr. Wi Pere.*] I want to know from you, Mrs. Brown, exactly what it is you desire. You desire to have those persons whom you say have no right to be put in the grant struck out from the grant?—That is one of my applications.

6. And that each of these people respectively be sent back to their own place?—Yes; that was my request to Judge Edgar. That was in 1902, when the Public Trustee applied to define the relative interests.

7. Well, there is no occasion for me to question you about your wish that this land should pass back to the control of yourself and grandchildren. I quite understand all about that. Now, my second question to you is this: Supposing that the authority of the Public Trustee is done away with, are you willing that the restriction against sale by yourself, your children, or your grandchildren should still continue? All that you want is to get rid of the Public Trustee, but you do not ask that restrictions on the land be removed?—My reply to that is this: I wish the restrictions to remain upon the title as far as my hapus are concerned. But with regard to myself and my family, who are pakehas, I say remove them, because we are quite capable, and my family are quite as capable as myself, to look after their affairs without any control whatever.

8. But you want to get rid of the Public Trustee?—I do, absolutely; and to return that back to us in the same manner as was promised to us according to these five hapus that were recommended by the West Coast Commissioner.

9. *Mr. Parata.*] Yesterday I asked you whether they were in the same position; whether they wished to occupy their land purely and simply without the control of any one?—My own relations, my mother's first cousin's children, that have children, and grown up, went and asked Mr. Fisher to allow them to subdivide and occupy. Mr. Fisher said, "You already have sufficient land."

10. Even outside of your own family; Maoris and pakehas?—Yes.

11. With families?—Yes. Grown-up sons that are willing to milk and work in order to make a start; but the name of the Public Trustee grates upon their nerves to such a degree as to affect them as I have already stated; but once remove that irritation and give them a fair chance, and things would be different.

12. And you think in your own mind they would go into it wholly and solely and cultivate the land?—Yes, I do. Those that are able to go and willing to work will go, and it will be an example to the others; but where those that are willing to occupy the land and live like the Europeans are not allowed to do so, the others will say, "Oh, what is the good?" I say, give them a chance. These people now go in for recreation; they frequent hotels and receive a few rents: but give them an incentive to work; it would do away with this cry of the Maori laziness and all this sort of thing. When the law debars me as a pakeha, why is it to be wondered at? We hear the cry, "Give us the relief." There

is but one way, and I heard you speak about it in the House the other day, Mr. Parata—that is, subdivision, and let them go and live on the land. That is our feeling. I heard you say that in the House the other day.

13. Do you think if the land was subdivided it would improve the condition of the Maoris here and in the South Island?—I am speaking about my own part.

14. Well, take your district?—Yes, I do think so. Many have started milking; but owing to the insufficiency of the land they have had to give it up. You know my own family—every one of them is able to work. They have never applied for anything, because, as far as they are concerned, they are not under the Public Trustee. On the Chatham Islands, Inia, my nephew, has a farm which is a credit to anybody. My nephew, Dr. Pomare, has an interest in the land referred to in my petition. Practically in a few years those three little reserves that I have spoken of must come back to our family. My sister's, my own, and Dr. Pomare's children must get this land. As I have asked in my last petition and the present petition, remove the Public Trustee's influence. I think the Committee will see the consistency of both of my petitions, last year's petition and this year's one. I think the Committee will see it is consistent with my prayer.

15. *The Chairman.*] You have put in a statement of accounts here from the Commissioner of Taxes, which reads, "Received from Mrs. Jane Brown, £17 7s. 7d.; Mr. H. and Mrs. Jane Brown, £6 8s. 1d.; and Mrs. L. Turnbull, £6 8s. 6d.: total, £30 4s. 2d." Who paid this tax direct?—My husband. My daughter, Mrs. Turnbull, is a widow; she pays her share, and it is all put into the one cheque.

16. Are these all paid through the Public Trustee now?—No. They are on land and mortgages which I hold; these receipts will show.

17. You say some of these persons were put upon this land illegally. Was it at the discrimination of the Court that these persons were put on?—No. It was simply a list taken by somebody there and sent in to the Commissioner while they were there. No Court was held. That was the ground of my objection to Judge Edgar's award. I wanted a Court to show that they were not the right owners. While Sir William Fox was there sitting for a week, the list of these people's names was sent in to him to show how many people were living in the village. They took that and put all these interests into the grant as owners of the land; there was no Court sitting.

18. Have you any power to ask for a sitting of the Court to decide that?—I could not say. That was my wish, that there should be. There were Natives from Waikato, Bay of Islands, and from all over the place—some are kanakas and some are Ngatitooa. That is why I applied for the Appellate Court to make the difference in the original order.

19. *Mr. Parata.*] Then, as to these people put in that lease. The Commissioners never made any inquiry as to whether they had any right or not?—No; and these are the people that are helped by the Public Trustee's agents. I do not think Mr. Poynton knows half of what his Agent does. These are the people that are made use of against us.

20. *Mr. Wi Pere.*] Has the Public Trustee never inquired into the matter?—I cannot tell you.

The Chairman: Mr. Poynton, you have heard Mrs. Brown's statement. I presume you want to make some remarks?

Mr. J. W. POYNTON'S (Public Trustee) Statement. (No. 8.)

Mr. Chairman, this land is in exactly the same position as all other reserves on the West Coast. It is under the control of the Public Trust Office, and no one has any right in it at all by law—that is, to lease it or deal with it. With reference to the supposed promise or alleged promise that was made: that it was to be held by a few Natives, without any control by the office—well, that is a very shadowy basis on which to alter the present law. Sir William Fox, who drew up the list of these reserves, had the assistance of Major Parris throughout his investigations, and rightly said in his report that every promise made to the Natives was investigated and carried out. To alter the title at the present time, so many years after the decision of the Commissioner, would, in my opinion, be an act of folly. It would give rise to hundreds of other alleged promises, and throw the whole of the policy of administration of these reserves into confusion. The petitioner does not live on this reserve at all. She has not lived on it for many years. She said that she received a promise from me that the arrangement with Greenwood would not be disturbed. I have no recollection of any such understanding with the petitioner, but do not wish to contradict her. Whatever took place in respect of such an understanding has passed unaccountably from my memory. It is my custom, when any undertaking is given, to put a minute of it on the office file relating to the subject. No such minute was made of the interview with Mrs. Brown. My first clear knowledge that Mrs. Brown had improperly leased a portion of this reserve to a European was on receipt of a letter from the Agent, dated the 7th November, 1903. In that letter he stated, when going over the land he found that Mr. F. C. Greenwood, of Urenui, was occupying some 54 acres of it, and he informed me that he held it under a lease granted by Mrs. Brown. I somewhat doubted this statement as I felt Mrs. Brown would hardly have given a documentary title knowing the position of this land. The impression then in my mind was that the whole transaction or the whole thing revealed a piece of consummate hypocrisy. Mrs. Brown had previously taken up a good deal of my time and also of that of the Committee in protesting about any of this land being leased to Europeans, and it was shown that she herself had been drawing rents all the time from a lease of a considerable portion of it. I may say that on the file it appeared that Mrs. Brown was entitled to only twenty shares; and, having let 54 acres, and some of that the best of the reserve, I was very indignant that she was taking more than her share out of this reserve, in addition to improperly dealing with it. Mrs. Brown saw me afterwards and explained that she held more shares than appeared on the records. On her explanation I agreed with her to let the matter stand over until I went to Urenui. I was unwilling to disturb Greenwood; and then, believing that Mrs. Brown was not drawing more than her share, I thought it better to let the matter stand over. We then went, as Mrs. Brown stated, to Urenui, and the result of the consultation and consideration there was that she should continue to

draw her rent from Greenwood, but only on condition that that arrangement could afterwards be put an end to. For this reason: The petitioner's rights in that reserve are challenged. A portion of her interest comes from a will. Wills have been decided by the Supreme Court to be invalid as far as they may purport to pass interests in West Coast Reserves. If that will is successfully challenged the office will be in this position: it will have to make good to the Natives some of those rents that Mrs. Brown has been drawing for some years. The other Natives who are interested will say, "Why did you allow her to lease part of this ground and draw rents from it when her interest in the ground was much less than represented by the rents? We look to you to return those rents." And the office will have to do it. Of course, if it is decided that Mrs. Brown, instead of having about seventy shares in the reserve has perhaps not more than half that number, she will have been all the time depriving the Natives of some of their interests in the reserve. That is the reason why a provision was put in the letter to her stating that on notice the rents would have to be repaid by Greenwood to the office. If they were paid to the office for some time before the termination of his lease the amounts due to the other Natives, in the event of her share being reduced, could be adjusted. As to her statement that I refused to take a sum of money for the survey—

Heni te Rau (Mrs. Brown): I did not say that you refused. What you said was this: That I could make arrangements, and if we came to any terms at all you would have to affirm it, and that the Department would need to pay for the survey.

Mr. Poynton: I should be very pleased to have the office paid for the survey; it would relieve the office somewhat. If that was the impression, I was wrong, and shall be very pleased to have the survey fees paid by somebody else. The suggestion that the office wanted to make money out of the Natives by advancing the fees and charging interest on it, is nonsense. The office makes nothing out of lending, say £60, to Natives and getting it back in twenty years; that is nonsense. Regarding the statement of the petitioner that a lot of interlopers are in the grant, that has nothing whatever to do with the office. Sir William Fox, in recommending the issue of this grant or reserve, mentioned one Native with sixty-seven others. The placing of those others in the reserve had nothing whatever to do with us. The successors to these Natives are selected by the Land Court, and whether they were rightly put in at the start, or whether their successors have been wrongly put in since, we cannot define. They are all there, and each is entitled to his share.

The Chairman: Then, if you have an idea that there are any of these names illegally there, should not the Public Trustee make inquiries?

Mr. Poynton: No.

The Chairman: If it is proved that these men are illegally in that list, and you have been paying part of those rents illegally, do you not think it is the duty of the Public Trustee to inquire into it and remedy it?

Mr. Poynton: No. Any Native can come and ask for a division list and appeal against it. We preserve a neutral attitude towards the Natives. Sometimes we find it stated that a Native has wrongly put in a pedigree to the Court, then we interfere and put it right. What you mention, Mr. Chairman, is a matter for the Native Land Court.

Heni te Rau (Mrs. Brown): I asked for that inquiry, but the Public Trustee objected on the ground that Mr. Poynton has just explained. That is why I appealed against the Court's decision. I pointed out to Mr. Fisher that there were a good many of the rebels in this grant who had no right to be there, but Mr. Fisher took the list and would not mention a word.

Mr. Poynton: The statement of the petitioner that this land belongs to her family only shows the extreme danger of letting Natives have control of this. It would mean interminable litigation amongst them. The better-educated amongst them would take advantage of the others.

Heni te Rau (Mrs. Brown): That is no concern of the Public Trustee's.

Mr. Poynton: The statement of the petitioner that the Natives concerned managed their own lands better if the Public Trustee's control is removed, is easily disproved by any person looking at the Native reserves in Taranaki which are not under the control of the Public Trustee. There are a great many of these reserves in Taranaki. A number of them are alongside good roads, and a great many of them are exceptionally good land. Some of these are unoccupied, covered with furze and other weeds, and those that are occupied are not to be compared with those held under occupation license from the Public Trustee. The position of the Native lands in Taranaki which are not under the control of the Public Trustee is very discreditable to the Native owners. The office gets the blame very often for these reserves. When in Taranaki myself I was pointed out some very awful examples of the control of the office, but the reserves pointed out were not ours at all. The Natives do not look after their lands as well as they should. This particular reserve spoken of is not at all creditable to the owners. The reason for the Public Trustee interfering with it at all, or intimating to the Natives that the office would interfere, was owing to the disgraceful condition of this very reserve. The piece leased by the petitioner to Greenwood is a very choice piece, and, of course, it is well cultivated, fenced, and a credit to the lessee. The other part of the reserve, occupied by the Natives, does them no credit whatever. It is covered with gorse and is a pest to the neighbours. Weeds spread from it on to the holdings of the other settlers, who bitterly complain of its condition. The office has no desire whatever to interfere with this reserve. It is not too large for the Natives who are resident upon it, and if they will keep it free from weeds and prevent the complaints as to its condition the office will never interfere with it. If the Natives who are resident there desire particular portions for their individual occupation, the office will gladly assist them and do as it has done in other cases: give them occupation licenses. The majority of them, I might say, are strong Te-Whiti-ites, and on these grounds oppose the office, as they do all other Government institutions. When there last January I told those that were there that they must keep it clear of weeds, and if they would promise that, the office would not trouble them at all. I do not believe the petitioner's statement. She makes it honestly, I am sure, but says that the Natives are generally discontented with the control of the office. There are a few agitators that we hear from regularly—I do not want to mention their names—and the Te-Whiti-ites, who are

all opposed to the office. Apart from this I think I am safe in saying the majority of the Natives are quite content with the present condition of affairs. To do as the petitioner asks—that is, that this reserve be taken from the control of the office, would open up the way to a destruction of the policy that has taken us many years to establish and that has been a great success, notwithstanding the statements of the petitioner. The petitioner has no grievance. She has let some of this land without right. Her interest in this reserve is challenged, or rather, a portion of it, and if the will under which she holds is opposed, it will be awkward for herself and the office too. I will put in the file showing the whole of the dealings of the office with regard to this reserve, and a letter dated the 24th August about the impending dispute and contest of shares.

Heni te Rau (Mrs. Brown) : You said that you had to accept the Native Land Court order?

Mr. Poynton : Yes ; it would never do to pass a Native grant unless the Court said it was right.

Heni te Rau : Can your Department show records of any investigation with regard to this particular block ?

Mr. Poynton : We have never paid any rents. There has been no necessity for us to ascertain who the owners are. You have been drawing rents for some time. We would not go on our own idea as to who the owners were. We would ask the owners to ascertain through the Native Land Court and then pay the shares. At present there has been no necessity for an application.

Heni te Rau : You heard me say a little time ago that this list was put in without any ascertaining of the right of those people to be in it, and I applied to Judge Edgar in the matter. Your Agent distinctly said the Land Court had no power ?

Mr. Poynton : I wish to contradict the petitioner when she stated yesterday that the first knowledge she had of the matter being under the Public Trust Office was in 1902. In July, 1900, she saw me and asked that the reserves should be divided. It was then pointed out that that could not be done. The respective shares could be determined, but not the division.

Heni te Rau : I think you are referring to a clerical error with regard to a particular piece of land. I made an application to the Court to rectify that.

Mr. Poynton : This is the letter. [Mr. Poynton then read the letter, dated the 24th August, to the Committee, and placed the document in the hands of the Committee.]

Heni te Rau : My remembrance is that that was to rectify an error that had been made in 1887. The Court had made a mistake and put two shares, which I can prove, into three divisions instead of the one. The Ngapuhi woman I put in myself and gave her my shares. I wanted to make an alteration to remove that 5 acres into another piece. Under section 39 I put an application in to the Chief Judge and told him to do this. I did this, and when I appeared before the Court to rectify it, it was Mr. Fisher that then appeared and said the Native Land Court had no right to deal with it, but that the Public Trustee had ; therefore, I called and saw the Public Trustee. Then you said that I had not lived on this land at all.

Mr. Poynton : I said, for some years. It is a good many years since you lived there.

Heni te Rau : You have already heard me tell the Committee that I was put in possession of that land in 1877 or 1878 ?

Mr. Poynton : I do not know when the possession was obtained by the Natives. Your statement last year was that there was little-enough ground there for the Natives already on it, and you had no desire to rent it. You had let a considerable portion of it and you were drawing very good rents.

Heni te Rau : It was my own. I was put in possession.

Mr. Poynton : It is a part of the grant.

Heni te Rau : Up to 1892 that land was practically ours and we could do with it as we liked. We were put there by my people.

Mr. Poynton : It was a reserve set aside by Sir William Fox, and it was in the same position as the other reserves.

Heni te Rau : Did you not know that that piece of land was surveyed ? When I got the subdivision my son cut the furze and all the noxious weeds off it. My son occupied it, and fenced it, up till when he was drowned. After that I had to lease it, and leased my homestead with this particular piece of land.

Mr. Poynton : We are ascertaining who are the owners of the grants, and say each grantee is the owner and has a right to be protected.

Heni te Rau : You heard my statement yesterday that yourself and myself had arranged to meet Mr. Fisher in the presence of the people to see whether I had the right ?

Mr. Poynton : Yes ; they all met there.

Heni te Rau : And yet there was nothing said against me. Tiwai said, "There is no one here to dispute your right to that piece of land unless it is Roimata, and she is not here."

Mr. Poynton : She has an interest in this reserve ?

Heni te Rau : Yes ; illegally.

Mr. Poynton : But still she is there.

Heni te Rau : According to the subdivision of these interests, when you speak of including a number of interests I am entitled to 80 acres. Taking out that interest, what do I hold ? Haurangi's interest is only for 20 acres. Sixty acres remain to me, and I am only leasing 54.

Mr. Poynton : You must admit that your 54 acres are on a beautiful flat and the other part is a disgrace to the occupants. It is covered with gorse or furze from 6 ft. to 10 ft. high. It is not fair to put your 54 acres against the other part.

Heni te Rau : Then, with regard to this dispute he talks about. I am entitled to 80 acres. Take out the 20 acres he is speaking of and it leaves me 60 acres. Out of that 60 acres I lease 54. I improved that land, and therefore I am deficient of my share of 16 acres. Then, again, Mr. Poynton, you said I had a succession order under a will to this person Haurangi. Are you aware that it was not granted to me under a will at all ?

The Chairman : I think it would be as well not to go into that question. If the Public Trustee says it is to come forward afterwards, it would not be to your interest to have it brought forward now.

Henite Rau: All right. Here are my papers, Mr. Chairman; I will leave them with the Committee

21. *Mr. Wi Pere*.] I want the Public Trustee not to be frightened at any of my questions, because all along he has been very frightened of me. I want to ask the Public Trustee whether he has leased the land which is the subject of the petitioner's petition?—No.

22. My second question is, Had the Public Trustee known, previous to the time of this petition, that certain of the Crown grantees were alleged to have been wrongfully put in?—Not in this particular reserve, but it is a general complaint that it is done in all reserves.

23. Did the petitioner never tell you previous to her petition that there were people in that Crown grant who should not have been put there?—She may have done so, but I wish you to understand that this is a general complaint.

24. You say that this is a general complaint in all Crown grants?—Yes. There are always two or three who will say that another Native has no right to be there at all. They say his grandfather was a slave or something of that sort.

25. Would you be willing that a Commission be set up to go through the list of names of these respective grants and sift out the wrongful owners?—That has nothing to do with me at all.

26. But you would be willing that it should be done?—I cannot be willing or unwilling.

27. But why do you say that? The Native Land Court could not do it until a law was passed empowering it to do so. I am asking you whether you would be willing that the Court should go there?—I would be unwilling from a social point of view, as it creates disturbance and as it is very dangerous to do so. I do not wish to say so in this particular case, but with white people or anybody else I would be opposed to a long-settled thing being disturbed. Witnesses are dead and absent, and there is a very great danger of injustice being done.

28. If people have been wrongly in possession of a thing for twenty or thirty years, is that any reason why they should not be disturbed now?—Yes.

The Chairman: What has all this to do with the petition?

Mr. Wi Pere: Why should they not be interfered with? We have been told that there are a number of wrongful owners in this block.

Mr. Poynton: That is only my opinion. Where you disturb rights that have been in existence a long time, and where documents have been destroyed and lost, and witnesses are dead, you are more likely to create more injustices than the injustice that you propose to remedy.

Mr. Wi Pere: But just arising out of what you have said. The land was seized, confiscated, and then the Crown set up a Commission to inquire and ascertain who were the proper owners of this place, and they did not come. The Government having fed certain people on biscuits before this, with a nice sweet flavour in their mouth, the Crown comes and puts these people in. The land was the property of the person in the first place. Now, you are the Maori and I have struck you upon the nose and your nose bleeds. You have some food in your hand and I say to you, "Friend, eat your food." You say, "Oh, I cannot, you have hurt me." Now, did you know that was the position in regard to the Commissioners in those days? The land belonged to the Maori, and they called upon the Maori to come and state what their rights were. Now, what Maori would go and tell what his rights were? He was weeping and the blood was running down from his nose. Therefore that was not the proper time to go into the question, but now is the proper time to go into the question. Things are peaceable now.

The Chairman: What has this to do with the Public Trustee? He cannot deal with this question.

Mr. Wi Pere: I have spoken to the Premier and the Chairman about this. Why does not the Premier bring in a Bill?

The Chairman: Have you any further questions to ask, Mr. Wi Pere?

Mr. Wi Pere: I am asking the Public Trustee if he is willing to agree that an inquiry should be held into the grievances put forward. I have not asked him whether he is willing to surrender his right. My questions were directed to him with a view to relieve the people of the grievances at which they cry out. You remember the first Public Trustee that we had; it was through what I did that he was overthrown and turned out, because his evil deeds were discovered by me.

The Chairman: What has that to do with the petition?

Mr. Wi Pere: I do not want the Public Trustee to be frightened in replying to my questions.

29. *Sir W. R. Russell*.] *Mr. Poynton*, you drew a contrast between the land leased to Mrs. Brown's tenant and the land occupied by the Natives. Do I understand that the land occupied by the Natives was under communistic tail?—No dealings whatever have been made by the office. The only dealing is Mrs. Brown's leasing.

30. It is held in common?—We should be pleased to give them occupation licenses, but they are Te-Whiti-ites and do not want this.

31. You are prepared to issue occupation license if they will take it?—Yes.

32. Do you find that Natives who have occupation licenses keep their farms in decent order?—Ever so much better. Some of them are starting dairy-farming, and they are doing very well.

33. Then, in the general interests of the Natives it would be desirable to place them upon that individual holding as soon as possible?—Yes. That is what we are anxious to do. If these Natives would say, "We want this divided," we should be very glad to do it. The gorse would be cleared away and the trouble would cease.

Henite Rau (Mrs. Brown): My people want to be allowed to go on the land and to subdivide it themselves.