a new lease under the provisions of the section. If the lessee converted under the Act of 1892 he got a perpetual right of renewal, and he also got compensation for all improvements up to £5 per acre. On the other hand, the Native owner lost his right to bid at the end of the term of the lease, and also the benefit of the best improved rent obtainable at that time. If the lessee made his application, and afterwards considered that conversion would not benefit him, he was allowed to withdraw his application.

The Amendment Act, 1893, calls for attention in one point only—that is, as to the definition to be given to "improvements" and "substantial improvements." Section 3 says that they shall have the same meaning as "substantial improvements of a permanent character" in the Land Act, 1892, which reads as follows: "'Substantial improvements of a permanent character' mean and include reclamation from swamps, clearing of bush, gorse, broom, sweet-briar, or scrub, cultivation, planting with trees or live hedges, the laying-out and cultivating of gardens, fencing, draining, making roads, sinking wells or water-tanks, constructing water-races, sheep-dips, making embankments or protective works of any kind, in any way improving the character or fertility of the soil, or the erection of any building." This, in truth, was a great concession to the lessees.

In 1895 the Native Reserves Act Amendment Act was passed, wherein at section 10 it states, "The West Coast Settlement Reserves Act, 1892, is hereby amended by substituting the words 'four years' for the words 'twelve months' where the same occur in paragraph (*k*) of subsection three of section eight." The effect of this was to give the lessees a second chance to convert up to the 31st October, 1896. The lessees thus gained an additional year in which to consider whether they would convert or not.

The last chance given to the lessees was in section 20 of the Reserves, Endowments, and Crown and Native Lands Exchange, Sale, Disposal, and Enabling Act, 1898, wherein it was "declared that in the case of a lease validated by section seven of that Act, and in force when this Act comes into operation, the lessee shall be entitled to take advantage of the aforesaid section eight at any time within two years after the coming into operation of this Act." This gave the lessees a further opportunity to convert from the 5th November, 1898, to the 4th November, 1900. The proviso in this section states that in any lease granted after the coming into operation of section 8 of the Act of 1892 the term of the lease shall commence on the 26th day of September, 1896, and the rent reserved shall be payable as from that date. The effect of this proviso was that the rent was not to be 5 per cent. on the value at the time the lessee converted, but 5 per cent. on a value as at September, 1896.

The last of the Acts which we think it necessary to consider is the Native Land Claims Adjustment Act, 1910, where at section 4 it is enacted that "In the case of every lease and of every renewal thereof granted under the West Coast Settlement Reserves Act, 1881, or any amendment thereof, passed before the year 1892, the improvements to be valued by arbitration in pursuance of the covenants contained in the lease, instead of being limited in character, as provided by the lease and by the regulations under the said Act, shall be and be deemed to be all the substantial improvements of a permanent character as defined by section two of the Land Act, 1908, which are in existence on the land at the time of the valuation, up to the value of five pounds for every acre of the land included in the lease." This section was passed in order to meet the decision given in Tinkler's case in the preceding year.

In the whole of this legislation two facts stand prominently out. The first is, that every legislative measure has been in favour of the lessees; and the second, that on no occasion has the Native owner been consulted in reference to any fresh legislation.

Some of the leading provisions of the Act of 1881 and its subsequent amendments, including section 8 previously quoted by us, have been fully considered by the Court of Appeal in the case of Te Moauaroa and Others *v.* The Public Trustee and Another (10 N.Z.L.R., p. 281), and from the judgment of Williams, J., concurred in by Prendergast, C.J., we cite the following extracts:—

(Page 296): "Section 5 of the Act of 1884 directs that the powers of leasing conferred upon him (the Public Trustee) are to be exercised 'in such manner as he shall think fit, with a view to the benefit of the Natives to whom such reserves belong