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AUGUST, 1905.

THE

Maori Record

A JOURNAL DEVOTED TO

THE ADVANCEMENT OF THE MAORI PEOPLE.

NORMANBY, N.Z.:
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VOL. I., No. 2. NORMANBY, NEW ZEALAND, AUGUST, 1905. PRICE 3D.

NOTIFICATIONS.

By a misunderstanding the first issue of the RECORD was numbered "2." The July number was "1." This is number "2" for August.

TO SUBSCRIBERS.

The price of the MAORI RECORD is 3d. per copy. It will be published monthly, and the annual subscription for the paper, posted to any address, is 3s. 6d., paid in advance.

All letters to the Editor must be addressed to him, Box 9, Post Office, Normanby, Taranaki.

Subscriptions may be forwarded to Mr. R. S. Thompson, at the same address.

We hope also to place the paper on sale at leading booksellers. Support of the paper is earnestly requested. It is not a commercial speculation. No one is getting paid for its production but the printer, and out of an earnest desire to place the grievances, desires, and aspirations of the Maori people before their European fellow-subjects, some Maori ladies have combined to ensure sufficient capital for supplying subscribers for a year without disappointment. The future lies with the public, and depends upon their support. In order to promote the circulation of the RECORD, and thus assist the Native cause, we shall be glad to receive names of subscribers of £1 per annum, to whom six copies monthly of the paper will be posted.

TO CORRESPONDENTS.

A column will be open to those who have useful suggestions to make in Maori matters. Notes on ancient Maori history, habits, manners and customs will find a place. Communications must be written on one side of the paper only, and be as legible as the writer can make them; typed letters preferred.

NATIVE TRUSTS.

"These Trusts ought to be dealt with by a private Bill. If the Natives could see that their reserves were removed from outside interference they would feel that what had taken place in the past would not take place again, namely, that by one Act after another the power of retaining these reserves has been set aside."—ROLLESTON.

Land Tenure for Maoris.

AT a time when the total unalienated landed estate of the Maoris has been calculated at 5,000,000 acres, and it is proposed, in the interest of settlement, to bring this area into occupation, making ample provision for an agricultural, pastoral, industrial and resident Maori people, as well as throw open for beneficial European occupation the overplus, it is necessary to enquire what security of tenure has been extended to the Maori on the reserves made for him on his own lands in the past. Compensation Awards, being alienable by consent of the Governor-in-Council, have almost entirely passed into European occupation. Compensation Awards, of which the Crown Grants were not yet issued, were, on the West Coast, merged in the West Coast Settlement Reserves. Compensation awards were awarded to loyal natives whose lands had been confiscated. There has, we believe, been no such investigation of the position of the Compensation Awards on the East Coast, and in Waikato, as was made by Sir Dillon Bell and Sir William Fox, in the early eighties, on the West Coast. Hence we are driven to the latter for object lessons. Of Compensation Awards for what are called absentees, those not present in the wars which led to confiscation, 10,100 acres were gazetted by recommendations of the Commissioners above alluded to as reserves to "satisfy the Government Absentee Awards." We believe these lands have been sold by the Government, and the proceeds added to the land revenue of the colony. A Commission ordered by the House of Representatives in the session of 1903 sat in New Plymouth to enquire in June last as to what had become of the 3000 acres set aside for the Ngatimutunga absentees. The report has not yet been laid before Parliament, but evidence tended to show that the lands had been sold on account of pressure brought to bear by the local governing body. We have a detailed list of sections sold by the Government on the lands set aside for the Taranaki absentees, and we believe that those set apart for Ngatiawa natives have also been so alienated. These two blocks total 5800 acres. (Parliamentary Papers, 1884. A—5B.) An investigation into the fate of the 1,192,000 acres, nominally confiscated on the West Coast, will give us an idea as to what will become of the only five million acres left to be dealt with in New Zealand should similar lines be followed. And after these are operated upon there are no lands left from which to justify the favourable verdict of the world as to the righteousness of our dealings with the Maori people in respect to their lands. Of the 1,192,000 acres on the West Coast, by recommendation of the Commissioners 201,395 were Granted to the people of the tribes, 5289 individually named, by Her Majesty Queen Victoria, for themselves and their children for ever. Of these lands the Public Trustee has in his hands approximately 180,000 acres. Individual reserves and special reserves may make up the discrepancy between his figures and those of the Commissioner's report. Of the 180,000 acres, 128,000 acres have been let to Europeans on a perpetual right of renewal; 20,000 acres have been made subject to licenses to occupy by natives; and 30,000 acres may be alienated at any time if the ruthless work is not stopped. There is a gleam of light in the Premier's Rotorua speech. In making the reserves the Commissioners aimed at fulfilling the statutory requirement of 50 acres per capita. They were not able to do so. Subsequent statutory power given to the Public Trustee disregarded this law, which forbids any alienation of a native's land unless he or she has 50 acres left for maintenance. On an average, on the occupation-license land, the natives have not four acres, and that they are obliged to pay rent for. The security of their tenure even of this lies in the will of the Public Trustee, and we have not one word to say against the individual. To demonstrate the position we have devoted this number of the RECORD. And this is the more necessary on account of the scheme to take away the native freehold and give it to their lessees. The rest of the 1,192,000 being occupied by Europeans, there is no land from which to add to the miserable areas to which the natives have been reduced by the granting to Europeans of perpetual right of renewal of their leases.

Maori Land Councils.

OHOTU BLOCK.

It is proposed that if the reserves for native occupation to be made on the five million acres, said to be left of the Maori estate, are not to be administered by the Public Trustee, they shall be operated by the Maori Land Councils. The

errors inherent to the one system are present in the other—continual danger of legislative interference, tending to deprive the natives of their reserves, and Government predominance. The Ohotu block is the only one, we believe, yet placed upon the market by the Councils. The Hon. Mr Carroll lately stated in the House that the block contained about 58,000 acres, that during the last two months 3610 acres have been taken up, and during the last six months ending 30th June, 17,612 acres. We find that of the area chosen by selectors, as above, 10,839 acres have been taken up by the Maoris themselves. They were promised 5000 acres for their own farm settlements. They tried to get partition through the Native Land Court, and were told that the law provided for no such operation. They could only gain possession of their own lands for use by leasing them, the same as Europeans were slowly doing. So they are resuming occupation that way, but the prospect of having thus to pay, and the change from a clear native title to a leasehold one from the Councils, are not likely to encourage other owners of other blocks. And the position demonstrates that before the scheme foreshadowed by the Premier at Rotorua can be worked out by the Council, legislative changes in the Act governing procedure must be made. Farming settlements for natives must be made before the lands are placed in the hands of the Council for lease.

West Coast Reserves.

The Confirmed Leases.

Before the Royal Commissioners made the West Coast Reserves very large ones had been made south of Waingongoro, and these were subsequently merged in the former. But long before that settlement was attempted the natives, wishing to beneficially occupy the old reserves, made agreements to lease with Europeans, placing the rent at such a figure that the lessees suffered no hardship when they were to hand back the lands, improved, to the natives at the end of the respective terms. But the day of resumption never arrived. The dream of the Maori of farming his own land was never allowed to materialise. The leases were declared invalid, but the Commissioners Fox and Bell, on investigation, finding some of them bona fide between the parties, confirmed them for the respective terms for which they were made. There were others repudiated by the Commissioners, but those were subsequently confirmed by Mr Thos. Mackay. These two classes of lease, those considered in good faith and those lacking this hall mark, are what are called the confirmed leases. The improvements were the property of the natives, but in 1887 legislation was passed by which the lessees could surrender their old leases and acquire new ones from the Public Trustee. The Act provided for Arbitration Courts to sit, but the natives disapproved of the whole proceedings, and refused to appoint an arbitrator. The Government appointed one for them. The improvements were taken away from the natives and given to the lessees. The term for which the leases were to be made was thirty years. The Crown Grants say the lands cannot be leased for a longer term than twenty-one years "without fine, premium or foregift." The natives sued, in the Supreme Court, the Public Trustee. The latter was defeated, on the ground that the regulations were ultra vires of the Crown Grants. But it was a costly proceeding for the natives. We believe they had to pay the entire cost, although they won. It was palpable that unless the conditions of the Crown Grant were destroyed, the Government and the lessees could not do as they wished. They were destroyed by the Act of 1892. The lands were vested in the Public Trustee in fee simple, although they had been granted to the nominated natives by Her Majesty Queen Victoria for ever. The Public Trustee has a dual position. By one section of the Act he holds the lands for the benefit of the owners; by another he is empowered to act as if he were absolute owner of the lands. The latter pose is much in evidence. The provision of the Act which forbids any European lessee from enquiring more than 640 acres was avoided, and one owner-lessee acquired about 4000 acres. The natives on renewal of leases tried to get the large area subdivided for closer settlement; they tried in vain. But a lessee holding 1000 acres lately advertised the goodwill of it for sale, in areas suitable for dairy farming, asking, we are told, £8 or £9 per acre for the goodwill, although the natives by the Crown Grants were not allowed to take any "fine, premium, or foregift," and the improvements are the property of the natives till paid for. All partition by the natives through the Native Land Court was stopped by the Act of 1892. Before that they were in a fair way of each obtaining his individual holding. Taking one Grant as a sample, the Court found that three-fourths of the land was subject to lease, and one quarter only remained for occupation by the owners. At that time it was never anticipated that the temporary leases would be made perpetual. The Supreme Court declared the improvements on the leased lands belonged to the natives, but lessees pleading poverty, were allowed to pay interest only on the capital sum, the value of the improvements. Some comparatively wealthy lessees pay this interest. The natives pay land-tax, not on what they individually own, but on the whole big block, with assessments intended for "social pests." They pay full rates, and have no voice in the expenditure. They let the lands leased, temporarily, hoping to get them back improved. The Legislature has taken them from the natives for ever, and defamed the Queen's Crown Grant. The voice given them in fixing the rental has proved inoperative in practice. The final decision rests with the Public Trustee. In the late trouble at Greymouth it was said: "It seems that there was a covert agreement amongst the leaseholders in Greymouth not to attempt to outbid each other at the sale." That was in the South Island. On the reserves we are writing of it is more than suspected that there has been covert agreement between the natives, agents of the Maori owners, and intending lessees, by which low rentals are fixed and the majority of the natives wronged. The natives cannot now get back the land they leased but for a time, and the remainder they have to pay rent for, although they are the owners thereof. And some of them lease land from Europeans on which to grow potatoes. (For short history of the confirmed leases see Hansard, Vol. 27: Speeches of the Hon. E. C. J. Stevens and others.)

The following are extracts from a correspondence which lately appeared in the Hawera and Normanby STAR, a paper published in a town in the heart of the reserves:—

The Proposed Reconfiscation.

In reading your account of the debate on the above matter by the Taranaki provincial section of the Farmers' Union, it was a large satisfaction to me to be able to recognise that the majority of 16 to 5 in favour of the seizure of 200,000 acres of Crown Granted lands was obtained by a misrepresentation of the position, in, I believe, the innocence of honest error. No one welcomed the advent of the Farmers' Union more heartily than myself, because I thought it would inherit all the best traditions of the British yeoman, and, whilst presenting a sturdy front for the maintenance of the just rights of the farming community, be an immensely strong factor in advocacy for cleanly administration and equitable legislation, and at the same time be a trenchant foe to all chicanery. In such belief I have, since its inception, been a sincere advocate by voice and pen of the programme of the Farmers' Union, and its extension, which is rapidly becoming inevitable, to a stall in the political arena. But, Sir, no right-thinking man would continue to give countenance and support to the Farmers' Union, if by 16 to 5 they adopted an iniquitous proposal in the fullness of knowledge. I will take a portion of Mr Maxwell's last speech as my text, and in doing so let me say that, without personally knowing that gentleman, I have a most sincere admiration for the way in which he protected settlers' rights in the Harbor Board matter, and I believe that when Mr Maxwell knows the true position of the Reserves he will cease to advocate their confiscation. Says Mr Maxwell: "The reserves consisted of 200,000 acres of confiscated land, and the natives had never got it back." The total area of the confiscated territory, that is, not of land actually confiscated, but of native lands over which settlement of Europeans might be made, was 1,192,000 acres (see Parliamentary Paper, 1864 A—5B). At that date there were 235,350 acres of this area occupied by Europeans, and 528,800 more acres available for European settlers. This latter has since been sold or leased by the Government on State account. The reserves made in former years, called Compensation Awards, have also, almost to the last acre, come into the occupation of Europeans. Those which had not been thus alienated at the date of the report were absorbed into the West Coast Settlement Reserves, which are, in the P.P. I have quoted, stated to be in area 201,395 acres. Mr Maxwell states the natives "never got it back." I had considerable admiration for the Farmers' Union when they, or some of them, refused to sanction the revaluation of lands held

in perpetuity at a fixed rental, because they refused to lend the influence of their powerful name to a breach of contract, although it was felt that those lessees, in respect to this one condition, had an exceedingly soft thing. It is this admirable sense of right and justice made manifest which encourages me to hope that the Farmers' Union will not stultify itself when it is informed that the 201,395 acres were in the early eighties Crown Granted to 5289 natives in 392 Crown Grants, that these natives live between the Waitotara River and White Cliffs, and this area is all between those natives and destitution, as with that exception the 1,192,000 acres have been taken, sold or leased by the Government to Europeans, or sold by natives to Europeans. The latter is probably an inconsiderable area. This 201,395 acres, then, is the total provision for 5289 natives after the bulk of their land has been taken, loyal and rebel alike, men who shot at us, and men who for us shot their fellow-tribesmen, or those who remained neutral. It was felt that in the then state of Maori civilisation, and the state also of their finance in 1881, they could not beneficially occupy, as farmers, the large area, although it fell far short of the statutory acreage of 50 acres per capita, as will be seen by dividing the number of acres by the number of grantees. The Crown Grants of Her Most Gracious Majesty Queen Victoria, which I hope the Farmers' Union will think equally worthy of respect with the contract of the lease in perpetuity, speaking from memory, are conditioned as follows: I may say I have handled the whole 392 Grants and copied fully one-half of them. They grant the freehold to the natives, all individually named, for ever, and the lands are made inalienable except as follows:—First by exchange for lands of at least equal value, said lands taken in exchange being held in fee simple; secondly, by lease for 21 years, without fine, premium, or foregift. Sir William Fox issued a proclamation declaring the lands, subject to the grants, the freehold of the native grantees for ever. It was not thought advisable that the natives should have the leasing of their own lands, so in 1881 was passed the first West Coast Settlement Reserves Act, which appointed the Public Trustee to administer the lands. And just here comes in another point: If property, the subject of a trust held by the Public Trustee, can have its title defamed and destroyed as the effect of political agitation, what faith is to be placed on the inviolability of any property confided to the State Trustee? It was deemed advisable to lease, with the consent of the native owners, when Mr Thos. Mackay had succeeded Sir William Fox as Commissioner. The latter asked me to consult the natives of the Waimate Plains, and, by quoting Crown Grants and the proclamation above spoken of, that the lands should be theirs and their children's for ever, and the leases merely temporary, I got a tacit consent to the leasing of the land, valuable because it ensured the settlers from interference. The lands were then leased from time to time, but on conditions very different at first from those now existing. By political agitation, by dangling their votes before the eyes of successive candidates for Parliamentary seats, in the same way as is being done at present, the lessees of these West Coast Settlement Reserves obtained amendments (?) to the principal Act in 1883, 1885, 1887, 1889, 1892, 1893, 1900, and 1902, which amendments have gradually improved their title and terms of lease, and equally vitiated that of the natives. But the freehold belongs to the natives, and the Public Trustee holds the fee simple merely for purposes of administration, although he greatly presumes on his position. It will be a public fallacy that the freehold tenure by Crown Grant is unassailable, if the lessees by political agitation can for themselves obtain the freehold of others. What security is there in any title if such things can happen. There is much said, and a paper has been published, on Maori landlordry. What complaint have the lessees to make of the treatment they have received? When in 1887 they agitated as usual, and pleaded poverty, their rent was reduced one-half for a period of five years. And they have not ceased to agitate now when instead of those lean years the fat years have been long upon them, and having formerly got all they asked for, they now want the freehold. And every candidate who comes before them will promise to forward their iniquitous aim, although I do not think any one of those seekers after political honour and three hundred a year believes in his heart that when the Parliament of New Zealand hears the true state of the case the latter will so defame the honour of the colony as to transfer the freehold of one British subject, held in trust by a colonial office, to another British subject who only differs from the first in that he holds the franchise. Before the Government ventured on the amendments adverse to the natives, knowing it had a warrior people to deal with, it drew the latter's teeth by domiciliary visits to their whares in 1881, at which it removed the Maoris' pigeon guns. Birds were out of season, and in November the guns were rusty. Prior to the leases of the Public Trustee—and this is another phase of Maori landlordry, although not sanctioned by law—the natives made a certain contract with their European neighbours, by which they leased their reserves to the latter on such terms as would allow the lessees to improve the land, and return it to the native owners in a fit state for their own farming at the end of the term. Mr Davidson is one of those who acquired such a lease, and as a member of the Farmers' Union, at the meeting on Wednesday last, he thus spoke, to his own honour and in the light of his full experience, of native landlordry in days when insecurity brooded over the district. Said Mr Davidson: "He had seen the time when the West Coast Settlement tenants were glad to get the land. They had a good thing, and now they wanted a better. He thought faith should be kept with the Maoris." Mr Davidson thought that those who kept faith with him when the law protected neither should not be oppressed by the predominant partner, which owned power at the polls. Those irregular leases were enquired into by Sir William Fox, and those which were bona fide between the two parties, the Maori and the European, were confirmed for the terms for which they were made. Subsequent agitation ensuing, the Acts I have mentioned caused the conversion of these into perpetual leases. It was said at the meeting of the Farmers' Union that the natives had no say in the fixing of the terms of lease. This is an error, as is proved by the advertisements which appear from time to time, Sir, in your and other papers, with a long list of native grantees, calling on them to meet and consult as to the renewal of some European's lease. I do not say that the wishes of the natives are always given effect to in their entirety, but they are studied by the Public Trustee. If those wishes had full effect, the 1000 acres advertised in your columns to be subdivided, and which is one of those confirmed leases, would have been let in several farms years ago. I acknowledge that the freehold is the best tenure, but it will cease to be so if it can be stolen by political agitation. If the lessees cannot exist without the freehold let them agitate for the right to freehold some waste lands of the Crown, which these reserves never were. They passed direct from the native title, which the Treaty of Waitangi protected, to the freehold tenure, secured on Crown Grant by Her Most Gracious Majesty the Queen. As credentials for my authority to speak, I may say that the scheme of the continuous reserve was formulated by plan with full directions from me on February 23, 1879, sent to Mr Sheehan in Sir George Grey's Premiership, and adopted by Sir William Fox the next year. The consent of the natives of the Plains was obtained by me as above stated. And finally Mr Bryce was advised by me to take the troops to Parihaka to arrest Hiroki and for other purposes a year before he did so.

The Maori: Settled and done for.

Half a century ago Cuthbert Bede (the Rev. Chas. Bradley), an acquaintance (with that acquaintanceship which was the personal veneration of a boy for the successful author of a most amusing book) wrote "The History of Verdant Green" in three phases, the last being "Verdant Green Married and Done For." The "done for" of Mr Green was a mere euphemism of the author for a delightful reality, but the "doing" the Maoris are getting in the settlement of their lands is grim ruin. On March 21 last the Premier adumbrated the policy intended to be pursued with respect to the 5,000,000 acres of native lands left in New Zealand. The basis was the individualisation of native titles, the cutting of the land up into farms for the natives, and also village settlements, the loaning of money to those wishing to farm on the security of their lands, and finally the occupation of the balance of the land by European settlers. At Eltham on Thursday last Sir Joseph Ward alluded to the coming settlement of the balance of the native lands, and said that he was in favour of "treating them in the same way as the West Coast Settlement Reserves had been treated by Mr Ballance." Now, it is likely that the treatment the natives have received under Mr Ballance's Act of 1892 will, when investigated, cause no little sensation, not to say scandal, and, as the present Government holds up his methods as a pattern, and his treatment of the West Coast Reserves and their owners as desirable to be copied, I propose to shortly sketch these transactions. There had never been such an opportunity of doing absolute justice as these reserves presented, after they had been Crown Granted by the Queen, there

never was such parody of justice as was perpetrated by the initiator of the policy of "Four acres and a cow," as area and equipment of the European farmer at his first opportunity. In giving an account of the West Coast Reserves it is necessary to state that they were the outcome of a Royal Commission sitting in 1880-4. I have the reports for all those years before me. The interim report was published in the second number of the STAR. In the second report, the Commissioners quote the following minute of Sir Donald McLean, dated 26th December, 1871: "I think it would be politically undesirable, and I fear practically impossible, to attempt to prevent their (the natives) occupying the country north of the Waingongoro, the confiscation of the country having been abandoned by the Government, so long as they behave themselves and keep the compact about not crossing the Waingongoro." Old Hawera settlers remember when those natives could not be induced, on any account, to visit their rising town. The Commissioners said: "This minute was approved by Sir Donald McLean. Nor must it be supposed that the statement so approved was an accident, or a mere slip of the pen. The words 'confiscation of the country having been abandoned by the Government,' were underlined in the Secretary's minute, and could not have escaped the Minister's attention." But the Royal Commissioners sat, not to deal equitably with those lands between Waingongoro and Stoney River only, but to exercise in equity their functions over the whole area from Waitotara to White Cliffs. I quote from the interim report what the Commissioners say about the Parihaka block, as the basis of award mentioned there, was their guide over the whole area from Waitotara to White Cliffs: "Since 1878 it is said the Parihaka settlement has increased; but whether it is so or not, no one pretends we can tell Te Whiti and his people they must leave it. So that for all practical purposes the Parihaka block is only what will be left after a large reserve for those people; and this means, taking the Native Land Act scale of 50 acres for each soul, that we have to set apart at least half the available land there for them." The balance was to be sold on the State account to Europeans, which was done. The total area of native land, actually or nominally confiscated, the Commissioners had to adjudicate on was 1,192,000 acres. Of this immense area they recommended to be reserved for the natives a total of 214,675 acres. The following lands were then granted by the Queen on the Commsisioners' recommendation, and the initiative of Parliament, to the natives, each mentioned by name, living in the respective areas. (A. 5B, 1884.)

A.—Lands Granted or in course of being Granted (roods and perches omitted):

	Grants.	Grantees.	Acres.
1. Waitotara to Patea ...	41	639	11,096
2. Patea to Waingongoro	39	1328	32,538
3. Waingongoro to Taungatara	42	676	26,604
4. Taungatara to Moutoti	12	250	45,393
5. Moutoti to Waiweranui	41	578	21,482
6. Waiweranui to Omata	56	351	25,035
7. Bell Block to White Cliffs	68	1582	26,657
Compensation Awards, i.e., Awards previously made to Loyal Natives now merged in the Reserves Crown Granted:			
Division I.—Waipingao to Titoki	20	12	3,458
Division II.—Titoki to Urenui	35	35	6,450
Division III.—Urenui to Rau-o-te-Huia	38	38	2,700
	392	5289	201,395

In addition to this area there were 12,764 acres set aside, mostly surveyed and reported on, but not "recommended to be granted at present." I don't know what has become of this area. I know some has been allocated for the natives, but a Commission sat last week in New Plymouth to enquire how natives are to be compensated for a block of land, variously stated at from 1500 to 3000 acres, thus reported on by the Commissioners, but which has since been sold by the Government to Europeans. I am dealing now with the 201,395 acres as provision for 5289 natives, and granted to them by the Queen for ever. In 1881 the West Coast Settlement Reserves Act was passed, which handed to the Public Trustee the administration of the reserves with power to lease for a term of twenty-one years, as provided by the Crown Grant. Mr Thos. Mackay was appointed Commissioner to arrange with the natives for leasing. In the Hawera and Normanby STAR of November 28, 1882, is the following: "Further progress has been made by the Trustee respecting the leasing of the West Coast Settlement Reserves, he having concluded an agreement with the leading natives of the Ngatimanuhiakai hapu, Titokowaru's tribe, for the leasing of 4700 acres of their lands. This is proof of the sincerity of the good advice the old warrior lately gave the natives in this district." I was Mr Mackay's agent to Titokowaru's tribe, and after quoting the Crown Grant and Proclamation, securing their lands for ever, and assuring them of the temporary nature of the leases, I obtained the appointment of a delegate to arrange lands to be leased. I have before me a copy of the marked plan made by Mr Mackay, showing the lands the natives wished to keep for themselves. It contains the names of the "leading natives," or rather their agents, who concluded the agreement spoken of in the STAR. They are Komene, Hana Tamihana (Thompson), and R. S. Thompson, and the witness to these signatures is P. Wilson, J.P. I did not think Mr Mackay was justified in telling the STAR that he had obtained an agreement to lease, but to have publicly protested would have retarded settlement. The understanding with the natives was that if the portions marked on the plan were not leased, the Europeans leasing the other portions would not be interfered with, and I can confidently say the natives from that day to this have not broken faith. Once a start had been made by this arrangement with the leading fighting hapu on the Plains, the rest was all plain sailing. The lands were leased for twenty-one years on such terms as made it not impossible for the natives to get back the lands at the expiration of the term. All went well for nine years, and during that time of lean years, when the settlers complained of poverty, the rents were reduced by half. In 1892 Mr Ballance brought in his West Coast Settlement Reserves Bill. It proposed to nationalise the reserves, and the STAR printed, in pamphlet form, my protest against the purchase of lands made inalienable by Crown Grant. But Mr Ballance obtained the consent of the Parliament of the day to a clause which gave the lessees a right of perpetual renewal of their leases over lands which the grants said could only be let for 21 years. The following is a return supplied by the Public Trustee of the lands of the reserves let to Europeans, and that held under occupation license by the natives respectively. Approximate area of West Coast Settlement Reserves leased on 30th June, 1904, 128,408 acres; approximate area of West Coast Settlement Reserves held under occupation license on June 30, 1904, 20,304 acres. The Act of 1892 vested the total area of the reserves in the Public Trustee in fee simple. Acting as owner by Act against the owners by grant, he charges the latter rent for the occupation of their own Crown Granted lands. It will be seen that the above return leaves 46,683 acres of reserves unaccounted for out of the 201,395 acres of reserves. It is probable that much of this is being made use of by the natives without license, and, indeed, why should it not when it is Crown Granted to them? But at the same time it is liable to be let by perpetual lease at any time by the Trustee, to whom Mr Ballance gave the fee-simple. Only those who hold lease or occupation license have any protection, and the latter is a poor one. It is possible that much of this surplus is wooded and inaccessible land in the mountain ranges. Had the natives the whole area of 201,395 acres there would not be 31 acres per capita towards the statutory area of 50 acres per soul. As it is, 128,408 acres having been let to Europeans on perpetual lease, the 20,304 acres if assured on license to 5289 grantees is not quite four acres a-piece. Instead of proposing to take their freehold from them, it would appear that measures should be taken to obtain the relinquishment of some of the leases on compensation being given. Even if the doubtful area of 46,683 acres be added to the 20,304 acres of occupation licenses, the 5289 natives would have short of 13 acres each, out of the 201,395 Crown Granted them of the 1,192,000 acres confiscated, and the great bulk of this last-mentioned area has been sold to enrich the revenues of the State. The natives are very weary of looking for justice to Governments whose existence in office depends upon the votes of those who long for the natives' lands, and they appeal to the great heart of the nation not to allow them to languish on four acres a piece.

The Proposed Seizure of the Freehold.

In my first letter I extended the palm branch to all of the Farmers' Union who inadvertently advocated a wrong to the natives in the innocence of honest error. Since seeing Mr Coombridge's letter I must equally absolve all lessees who are, with him, unaware of the real position. First, I may say that the primary object of the reserve of 201,395 acres out of the 1,192,000 nominally confiscated was to make provision for the tribes and ancestral owners of the lands. I

have shown that when distributed among the 5239 ascertained owners there was, out of this reserve, but 30 acres per capita. I have also mentioned that no provision for Maoris is deemed by the law sufficient unless it amounts to 50 acres each, and no Maori is allowed to alienate, or any European purchase, any land of a native without a statutory declaration that he or she has fifty acres left for his maintenance. Nor is this necessity confined to native lands; it is applicable to Crown Granted lands in possession of the Maoris. A rich lady who moves in good society at Home, and whose name is inextricably connected with the settlement of the colony, and whose husband's name is equally celebrated in the political arena of a bygone day of the colony, wishing to dispose of certain Crown Granted lands, had to make the journey of 14,000 miles to swear per form "C" that she had received no rum, arms, or gunpowder in payment, and that she had fifty acres left for her maintenance—poor thing! I hope both Mr Coombridge and Mr Elwin will pick from my statement the points which correct theirs, and thus obviate the necessity of my mentioning that I am opposed to what they say at each item. There is much in the latter's letter which appeals strongly to me, and I should like to notice it in print if possible, especially in regard to the "gospel of labor" as applicable to the Maoris, for my wife has a long-standing offer open to find land for a technical school of manual work, if the State or an approved philanthropic body will build, equip and endow it. But he has misquoted me in that phase of the matter. I said the reserve was all that was left between the natives and "destitution"—destitution of land—not "starvation." Mr Coombridge is in error when he says the reserves are Crown lands placed into the hands of the Public Trustee to be administered for the benefit of the natives. They are Crown Granted lands so placed. The Crown Grants to the natives in every instance are older than the Public Trustee's leases. The leases are subject to the Crown Grants and such amendments as are made by the various West Coast Settlement Reserves Acts. Under those Acts are the lands leased administered, and not under the Acts which govern the administration of the Crown lands of the colony. The grants are dated at various periods during 1881, 1882, 1883. In reply to the suggestion that the mention of value in exchange is construed by the "powers" to mean that cash shall do duty in the transfer, I quote the restrictions of all the large grants: "Inalienable by sale, gift, or mortgage; alienable by exchange or lease for 21 years, with the consent of Governor-in-Council." (A.—5B.) All original Public Trustee's leases in the reserves were for 21 years under the West Coast Settlement Reserves Act, 1881. "The rent to be reserved shall be the best improved rent obtainable at the time." (Schedule to Act, B.) By the Act of 1892 all new lands must be put up to public competition by tender, at an upset rental of £5 per cent. on the capital value. Renewals are granted from time to time, "for a further term of 21 years from the expiration of the then term, at a rental equal to £5 per centum on the gross value of the lands, after deducting therefrom the value of the substantial improvements of a permanent character as fixed respectively by the arbitration." (W.C.S.R. Act, 1892, p. 18.) In respect to the perpetual renewal, it was made legal in the same Act (1892), that again emphasised by repetition the condition of the Crown Grant, that the land was and is inalienable from sale. (Sec. 6.) Reserves may be leased by the Public Trustee at his discretion with the right of perpetual renewal, in the manner as under, etc." Section 10: "No lease under this Act shall comprise more than six hundred and forty acres of land, nor any lessee have any right to acquire the freehold of the said land." It would appear that the framers of this Act, recognising that they were destroying all provision for the Maoris in the way of land, saw the absolute necessity of preserving for them an income in money. The argument that were the freehold granted to the lessees the interest on the purchase money would bring in as much, or more, income per annum for the natives, cannot be true when renewals are to be made on the improved value of the lands less permanent improvements, whereas the purchase money banked on the sale being made would remain a fixed sum for ever, whilst the interest would not be sufficient to reimburse the natives for the loss of their opportunity to earn an income directly by farming the land. I was interpreter to the Native Land Court when important subdivisions were made, and when it was necessary to give applicants a portion of leased with a portion of unleased land, I never knew one instance where a native preferred the leased land providing an income, such as it is, to the land for his own use. I suppose the opponents of "Maori Landlordry" will gird at the suggestion of the natives obtaining an income on the improved value, but it is a position which has been forced on them against their will. The lands are theirs as a private estate, and the Public Trust Board is a selfish and interested excrescence, a collector of rates and iniquitous land tax which exempts not the smallest owner, besides a large commission, and the practical expression of the proclivities of the Government in the attempt made to nationalise the private lands of the natives. I have before me the first bill prepared by Mr Ballance in 1892. It proposes to confiscate the lands by making a money payment to the credit of the natives, and thus henceforth the rents on the improved and ever-improving reserves, the private Crown Granted property of the natives, would be yearly added to the revenue of the Government. When the two parties are agreed to a transfer it is sale and purchase. When one party, who has occupied his land from time immemorial, with all the accumulated associations of family and tribe tying him to it, when he has had that land protected by a solemn treaty, and confirmed by a special grant of the Sovereign, and is utterly averse to part with his inheritance, if a sale is forced upon him, no matter what the price, it is a confiscation, and no sophism will make it otherwise. And now let me show how the Public Trust Board, the Star Chamber of Maoriland, has attempted to confiscate the native reserves under the Act of 1892. First, it vests the reserves in the Public Trustee in fee-simple, ostensibly in the interest of the beneficiaries. The plea of the leaseholders that an income from money invested is better than one from land, yearly growing in value, is quite sufficient to demonstrate how these interests can be construed. But the natives had held possession from times so exceedingly remote that it is impossible to fix the date of their initial occupation, and the Public Trust Board would probably thus reply to any one thinking that possession was not necessary to its policy:

"Possession's naught? Possession's beef and ale—
Soft bed, fair wife, gay horse, good steel;
Possession means to sit astride the world,
Instead of having it astride of you."
—Charles Kingsley.

And this is the way the Public Trust Board proceeded to get astride of the native grantees of the Sovereign. Let me say that the Public Trust Board was appointed to administer the natives' reserves in the interests of the beneficiaries, by the Act of 1881, those Acts which are inimical to the beneficiaries, and which defame the Crown grants, have all been made since, and had the Public Trust Board an idea of administering the trust in the true interest of the natives it would have protested against the passing of such Acts. And it had every opportunity, because the Public Trust Board is a department of the Government which initiated the legislation. As I have said, the trust is older than the statute which is destroying it. Cause 29 of the W.C.S.R. Act says: "The Public Trustee, in his discretion, may grant licenses to native owners to occupy, for the purposes of cultivation or residence or occupation, portions of reserves, upon such terms and conditions as he thinks fit." And he charges the grantee, possessor of a license, rent. If the grantee does not get a license, the Public Trustee told one of them, he has no protection. And every grantee who occupies under license acknowledges that he is not the owner, and that the Public Trustee is. And the Public Trustee sees that he pays all right, for he collects it out of the rent of the lessees and charges the natives 3½ per cent. for the cross entry in his books, besides the 7 per cent. he has charged for collecting the money from the lessee. How in face of the payment of rent can the licensed occupier ever claim to be owner? It might be thought he could do so, from the fact that the Public Trustee pays the rent to him. But the Act takes care he does not do that. The Act makes him the owner of shares, not acres, or rather the Board does. If that licensed occupier wishes to retain possession simply because he and his ancestors have been in the occupation which filled the epoch, from time immemorial, and that he is also owner under Crown Grant, and wishes to imitate the European by being a farmer, that he is in a minor degree occupier by license of the Public Trustee, who now, however, wants the land for some other purpose, this is how the Act deals with him: "No native owner in possession of a reserve shall in any action in which the Public Trustee seeks to recover possession of such reserve be entitled to set up against the Public Trustee a right of possession grounded only upon such owner being a person entitled to a share or interest in such reserve." It may appear confusing, this apparent contradiction of terms, but we must remember that the Act was acknowledged by its maker to be crude. The intention is all right; it is to carry out a chief plank of a socialistic platform at the expense of the native. It is no use the

native pleading the sanctity of the family hearth, or the grant to him for ever by the Sovereign, and if he holds a license that won't protect him against the Board which gave it to him, how can you expect the native to build and improve the land of the Public Trustee under such conditions? "Alas, alas, you are seriously injuring the land of the Public Trustee," said the agent of that officer to some grantees who were cutting down trees for fencing. Mr Elwin has supplied an instance where the Public Trustee has bundled off the tenant of native owners with a Native Land Court order of subdivision. The Public Trustee can do everything, "as if," says the Act, "he was the absolute owner thereof." And though the Public Trustee holds the reserves "in fee-simple for the native owners," the Crown grants which are the natives titles are thus dealt with in clause 5 of the Act: "For the purpose of carrying into effect the powers of leasing and other the powers given by this Act, the restrictions, conditions, and limitations contained in the Crown Grants of reserves shall not be deemed to exist. Otherwise such restrictions, conditions and limitations shall remain and continue." Under "this Act" the native grantees, for whom the reserves were made, or some of them, have a license to occupy at the mercy of the Public Trustee; the Europeans, who first acquired leases subject to the grant, which were to be only temporary, have acquired perpetual leases over 128,408 acres. The Public Trustee is not liable for anything he may do, however wicked, unless it is from "wilful neglect or omission" (clause 18). If he does an injustice with intent, if he is a bold robber, he is not liable. No individual without wings should have been entrusted with such powers. He can do anything under the Act. I propose, Sir, with your kind permission, shortly to review the proceedings of the Trust Board with respect to the individualisation of titles, on which the Public Health Officer says the life of the Maori race depends.

The Agitation of the Lessees for the Freehold.

The following has been condensed from the original letter, chiefly in reply to a lessee. The correspondent says that, properly cultivated, four acres is enough for a Maori. Mr Ballance said four acres and a cow is enough for a European farmer, so it appears there is but a cow difference between the respective needs of the two races. The native title, your correspondent says, was fictitious, but it was fully confirmed by the Treaty of Waitangi; his subsequent title is the Crown Grant of the Sovereign duly sealed, and Mr Hogg, a staunch Government supporter, lately said at Eketahuna that the Crown seal must be honored:—"Members of Parliament were too honorable to interfere with leases bearing the Crown seal. Opponents of the Government were offering a bribe, in the shape of the freehold with a small land tax, to Crown tenants in exchange for the leasehold." (STAR, June 5.) In respect to the agitation of the native leaseholders and their supporters, at a meeting of the Farmers' Union held at Hawera to consider the advisability of nominating a candidate, Mr —— said: "The man who supported the native lease should not get another vote" (name in report of STAR before me). Mr Elwin denounces the habits of the Maoris and half-castes, which I also deplore, and he attributes them to the handling of rent-money as the result of the landlordism we have established; but surely if the natives got an increased income, as it is affirmed they would, from interest on the debentures, the result of the purchase of the fee-simple, that evil would be increased. Much depends on the point of view. Whilst Mr Elwin deplores the necessities of the up-to-date Maori who now wants stores, clothes, etc., the British are spending hundreds of thousands per annum to create those wants in savage nations abroad—that is good for commerce. And in respect to those clothes, what are they to eat and wear if not "European clothing and food" which we have been trying to make them use for generations? It has taken the Anglo Saxon approximately 2000 years to evolve from a coat of woad Stultz's latest Paris fashions; it has taken the Maori about 100 years to substitute for a suit of tattoo one of reach-me-downs. But Mr Elwin suggests no scheme for the better treatment of native lands and native people than the selling of the freehold to himself and his co-leaseholders, though Mr Seddon does. Mr Ballance did not contemplate leaving the natives, for their own use, but four acres, when he advocated the passing of the Act of 1892, which gave the lessees the right of perpetual renewal, and certainly Mr Seddon does not. Mr Ballance, in introducing a bill on its second reading, said of a portion of the reserves (see Hansard, vol. 75, p. 366: "There are, as I have stated, 2400 people in these various grants, beneficiaries who are interested in these lands. Some of them are minors. These people at present, apart from the forty thousand acres which I have referred to, and which may be leased, still retain in occupation no less than 40,000 acres. We consider 40,000 acres held by these 2400 people will be ample for them to live upon. We do not intend to lease it, but to leave it in their possession in order that they may live properly and comfortably." That is over 16 acres per capita, but by administration under the Act by the Public Trustee, the lands that were not to be leased, have been leased, there is not enough left, in most districts, for the natives to "live properly and comfortably on," and that is what I am trying to drive into the right-thinking people of this colony. Because Mr Seddon has formulated a scheme, and he will require land to carry it out. I draw no compaarison between the actions of this Government and former ones. Mr Elwin complains that I have not mentioned the inequality of interests, and mentions the slaves. I don't think Mr Elwin quite understands the status of a slave in old days; in any case they have been freed. "As a general rule they (the slaves) would become by inter-marriage incorporated with the tribe." (Tregear, "The Maori Race," p. 158.) It was necessary for me to draw an average, as partition has only been very partial, and that is the very matter I want to deal with, if Mr Elwin will be silent till I've done. I have only space in this letter to quote Mr Seddon's plans for the equipment of the native race, to take the place of the old methods we both so greatly deplore: Methods which reserved the land, but did not fit the owner to occupy it, or supply him with money on security of his lands, so that he could farm it. For neither the white nor the brown subjects of His Majesty can farm without capital. The State has found it, under various Acts, for the one and not for the other. I quote from the Canterbury Times, a paper supporting the Government, portions of Mr Seddon's speech at Rotorua. [Here follows an extract from the speech we published in full in our last issue.] The scheme then propounded is then spoken of. That scheme cannot be carried out on the West Coast if the area of the reserves is further reduced, and it is impossible to offer advantages to one section of tribes and withhold it from another. It is impossible to parade this proposition before the natives in order to persuade them to bring their lands under the laws of the colony, and at the same time deny it to natives whose lands are so brought and are Crown Granted. I have an abstract of Mr Elwin's evidence at Stratford before me. Mr Elwin denounces the administration under the Act of 1892, by the Public Trustee, and I agree with him. The faults of the administration should be firmly and kindly pointed out. Because, at Eltham, Sir Joseph Ward was in favour of administering the reserves to be made, over the area yet supposed to be left under native title in a similar manner; and that would be disastrous. But if the bad old days came back, which is impossible, and we were left to "taste of their despair" over the loss of their Crown Granted lands, we should have the spectacle of natives fighting for the Queen's Crown Grant, and colonial troops attacking. Which is unthinkable.

Individualisation and Partition.

When in 1878 the Government undertook the survey of the native lands between the Waingongoro and Stoney Rivers, that wide area of the best dairy country in New Zealand was entirely unsettled. The lands were nominally confiscated, and as Sir William Fox showed in the extract I have quoted, the confiscation had been abandoned by the Government. It was absolutely necessary that the land should be brought under useful occupation, and it was felt that the survey was by no means devoid of risk, because, first, of the abandonment of the confiscation mentioned; secondly, because of the Parihika agitation, which meant nominal peace but practical obstruction; and, thirdly, and probably the most serious, because the attempt meant the seizure of the land without any reserves being actually made for the natives, and those natives were the most warlike in New Zealand. The five survey parties were therefore strongly manned. I was appointed interpreter to these five parties, and if danger lurked in the expedition mine was the most dangerous post. The fate of Mr Broughton, tomahawked at Patea, had shown that it was dangerous to play with such a smouldering fire. All went well till Titokowaru's cultivations were trespassed on by the surveyors in running a road through them, without any reserve being made for that, or any other chief or members of the tribes.

I had cautioned the Native Minister, and told him that Titokowaru had distinctly assured me that if this work was continued he would go and disturb the surveyors. (Copy of letter in my possession.) The work was persisted in, and Titokowaru's men carted the tent, equipages, and instruments of the five survey parties to the south of the Waingongoro river. There was a suspension of all operations for some time, until Titokowaru's men began ploughing settlers' lawns and fields south of Waingongoro. That brought matters to a crisis, and resulted in three distinct movements:—The increase of the Armed Constabulary at Waihi for the arrest of the aggressive ploughmen; the resumption of surveys and road-making on the plains under armed protection; and the appointment of a Royal Commission to make reserves for the natives. I went on to the staff of Colonel Roberts as interpreter, and assisted in the arrest of the ploughing prisoenrs and the subsequent large number who fenced across roads as obstruction to the advance of the constabulary. Sir William Fox and Sir Dillon Bell made the reserves of 201,000 acres Crown Granted, and 12,000 acres reserved but not then granted—the first the ones I am treating of. The only thing left was individualisation and partition, and I had it from Sir William Fox himself that that was a work of administration he should not undertake. The individualisation was carried through by Mr Rennell, the Reserves Agent, and by the Native Land Court. The incidence of the former's operations is on the shares of rent; of the latter's on the acreage of land, and was followed by partition; but the basis of both undertakings was the same—the ascertainment of the individual interest in the lands. The Native Land Court made many partitions till stopped under the Act of 1892. The natives have never ceased to clamour for partition, but that is denied them, though clearly their right by precedent. The intervention of the Public Trustee under the Act is fatal to any attempt to obtain it. I have before me a Gazette appointing a Court in 1893. It contains 196 applications for partition, and Judge Ward proceeded to adjudicate, but was stopped by an order of the Government reminding him of the Act of 1892, which forbade the Court to partition the reserves unless the native applicant first obtains a warrant from the Governor. The native does not know how to obtain such a warrant; neither do I. All partition is stopped, and in place of obtaining individual holdings and homes under their Crown Grants, all the natives have is licenses to occupy from the Public Trustee over an area which, if equally divided, would amount, as I have said, to four acres a-piece. The New Zealand Settlement Acts of 1863 and 1865 attempted to promote the settlement of Europeans on native lands confiscated, together with native reserves and military settlements. The West Coast Settlement Reserves Act, 1881, was passed specifically to settle the natives on the reserves exempted from confiscation, and the leasing to Europeans, on temporary lease, of areas not immediately required for that settlement of natives. On those lines, under the principal Act and amendments, settlement proceeded till the Act of 1892 stopped the partition and gave the lessee a perpetual right of renewal over the native reserves. And thus the primary object in making the reserves has been avoided, and the owners prevented from occupying their lands to advantage under the Queen's Crown Grant. I am informed this week by the Reserves Agent that between Oeo and Mimi, north of Waitara and Urenui there are about 30,000 acres not let to Europeans or under occupation license to natives. There are two ways of dealing with native lands. Mr Elwin proposes to compulsorily acquire the fee-simple through the Government; the Hon. the Premier proposes to settle the natives on the portion necessary, and make him instead of an incubus a useful wealth-earning farmer and settler. The "great heart of the nation" will probably decide this coming session or at the polls following. I am sorry to have introduced so prominently the personal equation, and feel inclined to anathematise my "I's," but it was necessary to show that I speak on authority. Let us consider if the peace we are enjoying is owing to the absence of provocation to natives whose chief reasons for going to war were land and women. And let us be honest and concede the rights acquired by ancestral title, the Treaty of Waitangi, the abandonment of the confiscation, and finally the Crown Grant of the Sovereign duly sealed, together with conservation of duly acquired rights of lessees. But in partition lies not only the material welfare of the natives and the destruction of communal habits, but the very life of the native people. The distribution of doles arising from rents to an idle nation means the destruction of that nation, and so would be the distribution of interest on debenutres. We don't want to make the natives pensioners of either the State or their own lands. We want to make them work what portion of the latter is not taken for European settlement, and those not farmers must be made wage-earners. When the freehold-owning native farmer works alongside a European farmer who is a leaseholder he will probably agree to grant the freehold to the latter, not because it will pay him better, but because he will see that it is the only tenure that will wring from him his uttermost effort to do justice to the land. But how can the lessee, who finds such incentive absent in his lease, expect the grantee owner to find it, in a license from his trustee, as insecure as tenure can be? I extract from the last report of the Native Health Officer his decision as regards Taranaki natives: "The Te Atiawas were once amongst the most brave, the most industrious and enterprising of the race; history tells us this. But look at them to-day. Of all the tribes now living they are the most backward and demoralised. I have had more difficulty with them than with any other people. I have had very little done in this district. There are two main causes which keep them back—first, Te Whiti-ism; second, prejudice against the pakeha. The first cause will only end when Te Whiti dies, and it will be useless to do anything radical till then, as by persecution many will fly to his banner. As soon as Te Whiti dies we must turn on the full machinery of the law. (I must not be considered as agreeing with everything said. I think the Premier has shown the better way.—R.S.T.) The second cause will never end till the land laws are adjusted on the West Coast. The making of the natives of the West Coast mere rent-receivers is one of the direct causes of all the evils now existing in this district. It has taken all individual responsbility out of them. They are absolutely lazy because they have not sufficient lands to work. The doing away with Maori landlord rights and making them irresponsible has encouraged extravagance, idleness and debauchery, till Taranaki has become a by-word amongst the tribes. (We see here who has created the environment which has made the natives all Mr Elwin pictures them, and half-castes by law are natives.—R.S.T.) The natives do not care about their homes and their persons, they do not care to improve, for there is no incentive. Their heritage has been taken away from them, and now in the abandon of despair they say, 'What is the good? The Public Trustee has eaten the heart of the melon, and we are given the rind.' They are bitter against everything European, because their lands were confiscated, and the remainder they cannot occupy without paying rent for it. The drink question is the worst in the colony. The King Country is nothing to it. Hardly a tangi passes but that large quantities are consumed by men, women and children. (There has been much improvement in this respect lately.—R.S.T.) The sights one sees are most painful, debasing, and past all description. They say matters are improving. I suppose they are, but at Parihaka these things still go on unchecked." The Health Officer concludes with 14 pressing needs, of which No. 12 is "To hasten individualisation of native lands." (P.P.H., 31, 1904.) There is another very serious grievance arising from this denial of partition to the natives. The exemption of the Europeans from payment of land tax is absolute if that individual does not own more than £500 value in land. The exemption of the native owner is positively absent. If a native owns but enough to bury him in he pays land tax. It is deducted from his rents by the Public Trustee, who hates the job. The tax is levied on the big grants and subdivisions of the Native Land Courts. Partition would do ample justice. I take the following from the report of Public Trustee to Native Affairs Committee, last year, P.P.I., 3A, 1904: "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." On the passing of the Native Rating Act of last session I attempted to get legislation passed to remedy the injustice the Public Trustee mentions. I even went so far as to petition the Governor to withhold his consent from the Rating Bill till justice had been done. But it was considered that the session was too far advanced for any more legislation to be introduced, and the Governor's consent was given. (Governor's letter before me.) Honorable members might assist the natives in this, now the natives pay full local rates. I am sure the people are with me. It appears to me that the ends of justice and the protection of European and native on these re-

serves would best be served by the establishment of a trust for these lands only. It would be necessary to have included a Judge who would make succession orders, partition, etc. A glance at the debate on the second reading of the bill of 1892 will show how many objected to the appointment of the Public Trustee, on many and trenchant grounds. But, as far as the natives are concerned, no expectation of disaster nearly equalled the realisation.

The Public Trust.

The question whether the administration of these reserves by the Public Trustee has been a success or the reverse depends greatly on the point of view. To those who think that the whole of the lands should be leased to Europeans, and the income paid to the natives, it has been a modified success. To those who think that the reserves should have been used to settle the natives on the reserves, making them such useful members of the farming community as Mr Seddon now proposes to do, and that surplus lands should be leased to Europeans in conformity with the policy which guided the making of the reserves, it has been a failure. The predominant position was with the native, the predominant position now is with the European settler, i.e., the settlement of the European on the land that has been the moving factor and the settlement of the Maori on his Crown Granted reserves has been quite a subordinate consideration. It has not only been a failure from the native settlement point of view, but from a social and sanitary point of view it has been disastrous. The native owner by Crown Grant has no secure tenure for his land. His license to occupy does not, judging from the past, protect his lands from being leased to the settler. I think I have said that the Public Trustee has to do many things which are repugnant to him. He is directed in his operations by statutory considerations. It becomes important to know whether his office is free from interference by those who initiate the statutes. In speaking of the thirty years' lease, granted to the lessees of confirmed leases, which were disallowed after costly litigation by the Court of Appeal in 1891, the Hon. E. C. J. Stevens, speaking on the West Coast Settlement Reserves Bill, 1892, said: "The Court of Appeal virtually decided against the confirmed leases, and I believe one of the principal grounds of their decision was that the leases were made for thirty years, while the Crown Grants of the land actually prohibited any further term than twenty-one years, making therefore the leases which were given for thirty years ultra vires of the grants. And there were other grounds which may be summarised, I think, thus: Trusts under which the lands were held for the natives required that the administration of the trust should be in the interest of the natives." (Hansard, vol. 77, p. 482.) Mr Rolleston in the House, on the second reading of the Bill, said: "Until I ceased to be a member of this House at the last election but one, I took great interest in opposing what I thought to be encroachment on the native rights. I was not listened to on that occasion; and as soon as I was out of the House a Bill was passed which I think inflicted a gross injustice on the natives." It was the fact that such unjust legislation had been passed on the initiation of the Government of the day, concerning lands which were and are administered by the Public Trustee, that made many honorable members of both Houses distrust the wisdom, in the interests of equity, in again in 1892 continuing the trust in the same hands. Mr Rolleston was very clear in the matter. (Hansard, vol. 75, pp. 367-8.) "This Bill is an instance of what is evidently in the Premier's mind—to make the Public Trust Office an absolute department, controlled only by the Treasurer, who is to be given power to deal with people's fortunes as seems fit to him. It is a very dangerous power which, I think, is intended to be put in the hands of the Public Trustee, who will be acting alone, except so far as he may be controlled by the political head. The Trustee, with the Treasurer at his back, may say to one man he shall have his land at one price, and another at another. I do not say he would do so; but we ought to remove the possibility of such taking place, as it may be said certain people would bring political influence to bear on his actions, and their rents would be apportioned accordingly. Well, Sir, it seems to me that that is a thing that ought to be remedied. The Public Trustee must have someone associated with him, and I think there must be, in the determination of these leases, some native associated with the Public Trustee. There are plenty of natives of sufficient intelligence to judge whether the proper prices are being got—there are plenty perfectly capable of it; and all we want is to get a native of sufficient intelligence, not personally interested in the thing, who will be a guarantee to the natives on the Coast, that they are getting fair value for their reserves." I may say that minds of the natives are not so much engaged in screwing the utmost value from lessees, as in securing sufficient land for their own use in gardening and farming operations, and it is reasonable to suppose that if a just and impartial native had been associated with the Public Trustee, as Mr Rolleston proposed, the unleased land would not have been so wretchedly depleted. Further on, in his speech Mr Rolleston said (p. 368). "It is, I think, one of the most melancholy things to see how provisions made and paraded before the public with respect to the early settlement of the country in regard to native reserves, have been set aside. The whole of this town is dotted with lands which were originally set aside as native property, and which have been gradually absorbed by Europeans. That is the position of native reserves at this day; and what I have had to do with regard to these reserves on the Coast, has been to make an attempt, partially frustrated by subsequent legislation, to place these reserves on a footing that would secure them from being interfered with, as reserves have been in the past. I wish we could get this: that when a native property is put into the hands of the Public Trustee it should be no more capable of being dealt with by the General Legislature, as is now proposed, than the property of a private individual. This proposal ought to be the subject of a private bill, promoted by the Public Trustee and those concerned ought to appear by a lawyer on their side, and you would then get an Act which would deal, as I think, fairly and impartially with the matter." Hardly a member spoke who did not object, for one reason or another, to the powers given to the Public Trustee. It was said he was a political, not a parliamentary, officer. The fear expressed by Mr Rolleston that it was the intention to make of the Public Trust Office a public department controlled by the Treasurer, would be confirmed by the changes made by the Public Trust Office Consolidation Act, 1894. Section 5 makes the Public Trustee removable or appointable by the Governor-in-Council, which in operation means the Premier. By section 8, the salaries of the Public Trustee, Deputy Trustee, of other officers are such as shall be fixed by the General Assembly, so that each salary is not a sure and certain one, bue depending annually on the majority of the House. It is not an independent position like Judges of the Supreme Court. It is worth recording that in supply no private member can move to increase the salary of an officer. The salary of the Public Trustee is an annual appropriation, those of Judges permanent ones. The Public Trust Board consists of the following:—Colonial Treasurer, Native Minister, Solicitor-General, the Government Insurance Commissioner, the Commissioner of Taxes, Surveyor-General and the Public Trustee, and the Native Minister is the only one who cannot be dismissed by the Colonial Treasurer. The two items in the Civil list which have remained unaltered since 1865 are £7700 for the Judges of the Supreme Court and £7000 for Native purposes, but this latter sum has, by an amendment of the Old Age Pension Act, I believe, been made chargeable for native old age pensions at the option of stipendiary magistrates adjudicating on claims for the pension. I have no desire to follow this enquiry into how far the dependable position of the Public Trustee may have in its influence on the disposal of the public trust funds, but I will simply remark that the sinking fund on local bodies loans is in the hands of the Public Trustee which he may lend out on Treasury Bills. And that the auditing of the Public Trust accounts is taken out of the hands of the Comptroller and Auditor-General, and is performed by the Trustee's own officer, removable by the will of the Treasurer. It has been shown how legislation adverse to Native interest was possible previous to the passing of the Public Trust Office Consolidation Act of 1894, by the mention of such injustice in the debate of 1892 on the W.C. Settlement Reserves Bill, an injustice only remedied by the Court of Appeal. With enormous powers subsequently given to the Public Trustee by the Act of 1892, and the further subjection of his office by the Act of 1894, I think it will not be denied that facilities for such injustice have been increased, and in fact, Mr Rolleston's apprehension materialised.

R. S. THOMPSON.

MAORI ORIGIN.

We very much regret that pressure on space prevents the continuation this number of "The Origin and Destiny of the Maori."

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