

REPORT OF COMMISSIONERS.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed under your Excellency's hand and the seal of the colony to inquire "into the terms and conditions under which portions of Native reserves at Arahura, Greymouth, Town of Nelson, and Motueka are at present tenanted or occupied, and of all circumstances in connection therewith," have the honour to report that, in accordance with the instructions therein contained, we opened our inquiry at Nelson on the 24th of August last, where we examined fourteen witnesses. The following day we proceeded to Motueka, and on the 26th and 27th of August took the depositions of forty additional witnesses. Having returned to Nelson, we deemed it inadvisable to proceed to the West Coast without first procuring the attendance of Mr. Alexander Mackay, whose long and intimate knowledge of the management of the Native reserves forming the subject of this our Commission rendered his evidence necessary to the successful issue of our inquiries. Mr. Mackay's duties as a Judge of the Native Land Court precluding his attendance sooner, we adjourned till early in October. Re-opening in Greymouth on the 12th instant, we took, between that date and the 16th instant, the depositions of fifty-five witnesses. From the 17th to the 20th instant inclusive, at Lower and Upper Arahura, and subsequently at Hokitika, we examined some thirty witnesses, the whole of the evidence above referred to being appended to this our report.

In obeying the specific instructions embodied in our Commission, we have thought it advisable to apply the questions submitted to us to the varying circumstances of each locality, reporting separately upon the grievances and position of the tenants and occupiers within (1) the Town of Nelson; (2) District of Motueka, inclusive of Moutere; (3) District of Arahura, inclusive of Hokitika; (4) Town of Greymouth.

Commencing with the Town of Nelson, we have to report: The lessees occupy their lands (with but few exceptions) under leases issued prior to the Act of 1882 coming into operation. They complain—(1.) That having, in consequence of Mr. Commissioner Mackay's assurances repeatedly given, been led to calculate with certainty on a renewal of their leases when required, their interests have been seriously damaged since the passing of the Native Reserves Acts of 1882 and 1883, the effect of which has been to deprive them of this equitable right. (2.) That the right of compensation for improvements is limited by the Act of 1883 to improvements made before the passing of that Act on leases then in existence; further, that this right is not given at all to lessees under the Act of 1882. (3.) That the decision of the Board to submit leases for competition by tender rather than auction injuriously affects the interests of tenants. (4.) That no voice in the valuation is conceded to tenants.

One special application asking for a reduction of rent is referred to in Schedule A attached; in other respects the Commissioners have received no complaints.

Your Commissioners are of opinion, for the reasons given elsewhere in detail—(1.) That the tenants, in reliance upon Mr. Mackay's assurance, did count upon a renewal of their leases; and we recommend that a renewal of their present leases be offered them at a rental to be fixed by valuation (without reference to improvements) before the same is submitted to public competition. (2.) That a tenant-right to all improvements should be granted to lessees of the Trust, such right to be valued and paid for by the incoming tenant. (3.) They also coincide with the opinion universally expressed by the tenants that, when leases are submitted to public competition, auction is preferable to tender. (4.) That a voice in all valuations affecting their interests should be conceded to the tenants, exercisable in the manner hereinafter set out.

Referring secondly to the District of Motueka, including Moutere: The leases within this district are generally held for agricultural purposes by a class of tenants who have spent the best years of their lives in improving the land. The possibility, therefore, of having to compete for their homesteads with the outside public is keenly felt as a peculiar hardship. In some instances the tenants have lived for more than forty years on the same piece of land; all have spent both time and money in the endeavour to change the dense bush or rough tidal swamp into a cultivated homestead.

We find the grievances substantially the same as those complained of by the Nelson lessees—namely: (1) Loss of right of renewal, also claimed by these tenants to have been promised them by Mr. Mackay; (2) No provision granting compensation for improvements made on leases subsequent to the passing of "The South Island Native Reserves Act, 1883;" (3) That leases are competed for by tender rather than auction; (4) That they have no voice in the valuation made.

Being of opinion that the above grievances are substantial and well-founded, we would respectfully suggest that the same remedies be applied as in the case of the tenants of the Nelson reserve.

In addition to the above, special grievances have been brought to our notice, as follows: The following Native residents—namely, Pamariki Paaka, Tapata, and Kerei, ask that certain pieces of the reserve at present leased to Europeans, but formerly, by arrangement with the Commissioner, allocated to the applicants for individual occupation as cultivation reserves, may be given back to them on the expiration of the present leases. It would appear that the reserve, originally consisting of eight hundred acres, set apart for the use of some two hundred Natives, amounts at the present time to about twelve hundred acres, with fifty Native residents only. About one hundred and fifty acres are leased to Europeans, leaving over a thousand acres for Native occupation.

The pieces of land above referred to as wanted by the Native applicants were by them handed