

vided by the Act of 1882. That in every instance of either grant or renewal of lease the upset price, when submitted to competition, shall be the rent fixed as aforesaid, with a full valuation for all improvements added as a premium to be paid by the purchaser to the person making such improvements.

The effect of the provisions of section 3 of "The South Island Native Reserves Act, 1883," upon the interests of the large body of tenants and occupiers of the Greymouth Native Reserve having been brought to our notice, we think it a matter of duty to enlarge upon what would seem to be a somewhat grave question.

A certificate of title has been issued under "The Land Transfer Act, 1870," in accordance with the authority conferred by the section and statute above referred to. Under this certificate, the legal estate in the Greymouth Reserve vests in the Natives therein named, as from the 1st February, 1879, as tenants in common. Power to control and manage this estate is, (by section 4 of the Act of 1883), given to the Public Trustee, apparently from the passing of the Act of 1883 (September 8th, 1883).

The following questions then arise—viz.: The legal estate in the Greymouth Reserve being vested in certain individuals, as from the 1st February, 1879, with a Trustee appointed only from the 8th September, 1883, and the land being under the Land Transfer Act, what is the legal effect upon the leases issued? (1.) By Mr. Commissioner Mackay, prior to the 1st February, 1879, these not being mentioned in or protected by the certificate of title. (2.) The legal position of lessees claiming under leases issued by Mr. Mackay subsequent to the 1st February, 1879 (date of vesting of legal estate by grant), and prior to passing of "The Native Reserves Act, 1882" (15th September, 1882). (3.) The position of the lessees holding leases issued by the Public Trustee and Board between the 15th September, 1882, and the 8th September, 1883 (date when power was given to the Public Trustee to deal with the estate). (4.) The effect upon lessees, sub-lessees, assignees, and mortgagees, none of whom have brought their Deeds under the Land Transfer Act, and the majority of whom are in ignorance of its necessity. (5.) Should leases not be issued in the form prescribed by Schedule E of the Land Transfer Act?

The peculiar position of the tenants of the Greymouth Native Reserve, and the complicated dealings between them and their sub-lessees or assigns, renders the bringing of this reserve at all under the Land Transfer Act open to question; but there can be no question that the tenants and occupiers should at once be made fully acquainted with their present legal position, and the consequent duties devolving upon them in respect of the titles they hold or claim to hold.

We may mention that the District Land Registrar, Mr. King, has, with wise forethought, lodged a general caveat in the interest of the holders of all leases. Whether this caveat will afford any protection to the holders of leases issued prior to the vesting of the legal estate or issue of certificate is a matter for legal opinion. Mr. King himself states that he thinks he could not receive for registration such leases, if presented, inasmuch as they do not purport to be issued by the owners named in the Certificate of Title or their Trustee. We trust that we shall not be deemed presumptuous in recommending that the opinion of the law officers of the Crown be at once taken on this most important subject.

In conclusion, we would respectfully point out that the many important questions it has been our duty to investigate—more especially those affecting the interests of the Trust tenants and occupiers at Greymouth—require, as we have already reported, prompt and immediate attention to prevent their growing in number and magnitude.

And this, Our Report, we have the honour to submit for Your Excellency's consideration in obedience to the Commission to us addressed.

Given under our hand and seal at Hokitika this 24th day of October, 1885.

(L.S.) HARRY KENRICK,
 „ GERHARD MUELLER,
 „ J. T. CATLEY.

APPENDICES.

SCHEDULE A. NELSON AND MOTUEKA.

Name.	Section.	Rent.	Remarks.
Adam, G. ...	Part 62, Nelson Sections 201, 202, Moutere	£ s. d. 7 10 0	Recommended for revaluation.
Brougham, G. ...		12 0 0	Six acres have been taken for educational purposes and additional loss sustained by inundation.
Goodman, R. J. (late Bucholz, S.)	Part 163, Motueka	7 10 0	Recommended for special consideration and re-assessment in view of reduction. Recommend re-assessment on expiry of present lease.