

Committee to notice this. The rent has increased in some instances, but improvements and renewals were provided for. What does the old lease provide? I have one of the old leases—Alfred Gower's. It is one of the confirmed leases, and George Gower is the present holder. It is an ordinary lease, providing that the tenant shall leave the land in English grass. The date of the lease is the 21st August, 1877. The provision is this: He is to keep all the buildings and fences in order, and the land in good substantial condition, &c. There is no provision for valuation of improvements whatever, and it is only for fifteen years. That is by the Natives. That becomes a confirmed lease. It is only for fifteen years, but it is confirmed, and means a perpetual lease with renewal, with improvements up to £5 an acre. The Natives say the Act of 1887 means that the lands promised by Governors, Governments, and Parliament are given back to them by the Commissioners, but Parliament with the other hand has again confiscated them. What we submit is this: The Natives do not wish to disturb the confirmed leases, but they say, "Repeal the Act of 1887. Give no more leases unless we consent. Make that your legislation." Most of the Natives want to get the land back into their own hands. Remove your Public Trustee office from the lands. They say they can lease the land themselves, and collect the rents themselves. They want to get the land subdivided without the interference of the Public Trustee. I am speaking as an advocate. Not speaking as an advocate, I should say keep the Public Trustee in possession; but the people for whom I appear do not agree with me in this respect. I may be unconsciously biased, but looking at the thing fairly—not from the position of an advocate—I should say let the Trustee keep possession. But, I say, let the Act of 1887 be repealed; let new leases be given under the Act of 1881, and with the Natives' consent—that is, let the leases be ordinary agricultural leases, and let the Natives consent to the lease, and be parties to it. Do not interfere with their property, and do not deprive them of it. Some say, "We have no land for ourselves. We have nothing to work upon. We want some back to work ourselves. You have given confirmed leases, and the rents are so small that we cannot pay up the £5 for valuation, and it simply means that this land has passed permanently away from us." They say, "Is this fair? You promised to the Natives in 1865, and Sir William Fox had legislation passed saying, that our land should be reserved to ourselves and our children for ever. You promised this; and then the Act of 1887 comes in and says our land goes back to the European for ever, and will never come to the Maoris; and we shall only get the rents in dribbles, as you please." And that, truly, is treating them exceptionally and breaking faith with them. And yet you say, "We are one people." Justice cannot be done without the repeal of the Act of 1887, which ought never to have been passed. See that their property rights are maintained, because they have a right to argue that, if legislation has sanctioned this mode of dealing with Maori land, the time will come when you must deal with European land in the same way. They would say, "No one will be safe in the Public Trustee's office, because, if the Public Trustee has power to deal with Maori land in this way, he will also deal with European land in a similar way." The Maoris will be called to give evidence of the facts I have mentioned. I would ask the members of the Committee to read through the Acts and see what the legislation is, and to put the question to themselves, would they like their own land to be dealt with in this way. If not, why should the Maoris be treated exceptionally? The awards under the leases have not in every instance been carried out, although the awards have been made. After the awards were published I happened to be in Taranaki, and got a telegram from the Natives, and met them at Patea. They told me their position, and I said, "Well, I cannot promise to interfere until I see whether you have a remedy." I looked through their case and thought they had a legal remedy, and thereupon the Maoris commenced a series of actions against the Public Trustee. The question came before the House, and evidence was taken which I need not refer to. Examination will show it in I.—3A. of the Appendices of 1889.* I may say that I saw the Public Trustee and also the Premier, and they said that sooner than have all this litigation they would let Parliament sift the matter; and it was therefore agreed that "The West Coast Settlement Reserves Acts Amendment Act 1887 Suspension Act, 1889," should be passed, which said that all actions pending should be restrained, and no more leases granted by the Public Trustee under the awards until three months at least after the next session—the present session—of Parliament; so the Maoris come to this Parliament to deal with the matter. It would be better for the Maoris and the lessees also that Parliament should deal with the matter as it was the sole cause of the trouble. I submit to the Committee this: that the Maoris now live near the leaseholders, and, if the way they are dealt with is deemed a precedent, I beg the Committee to remember that the precedent will not end with the Maori lands, because, if Parliament can step in and make extraordinary conditions for lands which belong to the Maori, it can do just the same with lands that belong to the European. Where is the line to be drawn? Therefore, I ask that justice should be done. These confirmed leases are of enormous importance to the lessees.

The Hon. the Chairman.] You do not make any reference to the Act of 1887. It appears to let out the lessees from liability. I wanted to know if you could tell the reason of that. It says that transfer is with the consent of the lessor. He ceases to have any liability?

Sir R. Stout.] It means this: that if a man transfers his lease his liability ceases—that is, the landlord (the Maori) could only look to the assignee. That is unusual. I have only taken up the broad ground. There are many cases I might refer to. I take up this broad view: Here are Maori lands granted by statute and Crown grant, and their land is interfered with in a way that damages them without their consent: if that is done with the Maori you must do the same with the European land. I submit that this is unfair. The leases that are confirmed let them remain confirmed. But now let legislation draw a line: repeal the Act of 1887. There was an Act prepared by Taipua for the other Natives: I can leave it with the Committee. I may say, another Bill, now marked "confidential," was prepared, and I

* Not bound with Appendix of 1889, held over until the next session.