

NEW PLYMOUTH, 21ST APRIL, 1891.

The Commission sat in the Native Reserves Office at 11 a.m. Present: Messrs. W. L. Rees, M.H.R., James Carroll, M.H.R., and Thomas Mackay. A number of settlers, headed by Mr. E. M. Smith, M.H.R., presented themselves, for the purpose of laying certain grievances before the Commissioners.

*Mr. Rees:* We understand that Mr. Smith and some of the gentlemen who accompany him desire to make a statement to the Commissioners.

*Mr. E. M. Smith:* These gentlemen are the holders of leases in Native reserves, and I believe that Mr. Rennell will be better able than myself to inform you of the nature of their grievances. At present some of these leases have very nearly run out, and the Commissioner has no power to renew these leases at the end of the term, or even to deal with them in so far as compensation for the improvements the tenants have made upon these lands is concerned. I would ask Mr. Rennell to speak on their behalf, and then, if necessary, the Commissioners may question the gentlemen themselves.

*Mr. Rees:]* May I ask whether these gentlemen are simply acting for themselves, or whether their cases are representative of cases other than their own? Do the cases which they wish to represent to us concern only themselves, or do they represent a class of cases which comprises others than themselves?—I think they wish to represent themselves, and others who are similarly situated. Mr. Rennell is thoroughly up in the matter, and knows all the facts connected with it.

Perhaps it would be wiser to give us at once the names of the gentlemen who now attend before us?—Mr. Mitchinson, Mr. Haigh, Mr. Matson, and Mr. Collingwood. Those are all that desire to address you.

For themselves and others?—Yes. Perhaps Mr. Rennell will state their case.

*Mr. Wilfred Rennell:* These gentlemen represent a class of settlers who hold leases on the old Native reserves. They were first brought under the operation of the Native Reserves Act of 1856, when the Commissioner of Reserves had charge of them. Under the Act of 1882 the Public Trustee took charge of all reserves which the Native Commissioners had dealt with heretofore, and these are the class of reserves in respect of which these gentlemen desire to make certain representations to you. At the end of the term for which the leases were granted the Public Trustee is unable, by law, to grant a renewal of the leases, or to grant compensation, or, in fact, to assist the lessees in any way whatever.

*Mr. Rees:]* By the present Act. What, then, would become of the land?—In some cases it would revert to the Natives, unless they wish to let. In some cases, however, they will not let. The consequence is that some of the tenants who have been in occupation for as long as thirty years, and who have cleared the land where solid bush existed—have built dwellings for themselves and erected fences—have only eighteen months of their terms to run. At the end of the term, from what I know of the Native owners, they will then take the land over. And the Public Trustee cannot under the present Act afford any relief.

What is the average balance of the term that is unexpired in the majority of these cases that you know of?—I can hardly say, because the lands were let at different periods. Some have ten years to run, and some only eighteen months.

Could you not give us the approximate limits—the shortest and longest?—I should say the balance of the term outstanding would be from one to ten years. Mr. Wilson, the Solicitor for the Public Trust Office, told me he was directed, in case any amendment of the West Coast Settlement Reserves Act were found to be necessary, to draft a clause for insertion in it specially assimilating these leases to the leases under that Act, which gives compensation to tenants at the end of their term.

So that if they did not get their leases renewed they would, at any rate, obtain compensation for their improvements?—Yes; from the incoming tenants, not from the Natives.

Have the tenants in these reserves, as a general rule, improved to any extent their properties?—Yes.

At a cost to themselves, I suppose, both of labour and money?—Yes.

Have you thought at all, Mr. Rennell, of any terms or of any compensation which, in your opinion, should be granted to tenants in that position?—Yes, in the direction of compensation; but, of course, with my opinion they might not agree. I think that to give compensation for all improvements would be an extreme case. The best way would be to give fresh leases at an improved rental.

On which basis—the improved value or the unimproved?—I would go between; strike the medium.

Would that satisfy the tenants?—I think a reasonable rental would.

Would it be fair to the Maoris?—I think it would.

They would get a higher rent?—In some cases they would. I do not know that they would in all.

I suppose the aggregate amount of the rent would be higher?—Decidedly.

Although in individual cases it might not be?—Just so.

You think that such a course would be also fair both to the present tenants and the incoming tenants?—Yes, I think so. I do not say that my opinion would meet the views of the tenants or the Maoris altogether, but I think it would be a fair compromise.

Have any promises been made to the tenants which would require legislation for their fulfilment?—No; there never has been any power to make promises to them.

Have any promises been made to the Natives as to their resuming the lands which would be affected by such an arrangement as you propose?—The leases, of course, give them any such improvements.

That is not what I mean. Have any absolute promises been made?—Not that I am aware of.