

1892.
NEW ZEALAND.

WEST COAST SETTLEMENT RESERVES

(PAPERS RELATIVE TO).

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

The PUBLIC TRUSTEE to Mr. W. SYMES.

(Telegram.)

13th January, 1892.

WITH view of considering present position of holders confirmed leases, and ascertaining whether Native owners and lessees are prepared for mutual concessions which would clear the way for legislation satisfactory to all, the Hon. Mr. Ballance proposes meeting separately both parties at Patea on 20th January—first the Natives at noon, and the lessees afterwards at 3 p.m. Kindly notify among lessees as widely as possible. If any difficulty, &c., telegraph me, collect.

Walter Symes, Esq., Waverley.

J. K. WARBURTON.

No. 2.

The PUBLIC TRUSTEE to the RESERVES TRUSTEE, New Plymouth.

(Telegram.)

13th January, 1892.

WITH view of considering present position of holders confirmed leases, and ascertaining whether Native owners and lessees are prepared for mutual concessions which would clear the way for legislation satisfactory to all, the Hon. Mr. Ballance proposes meeting separately both parties at Patea on 20th January—first the Natives at noon, and the lessees afterwards at 3 p.m. Take steps for assembling Natives, giving them timely notice, and preparing them for meeting, at which you yourself will attend. I am telegraphing to same effect to lessees, whom you also should notify as far as possible.

W. Rennell, Esq., Reserves Trustee, New Plymouth.

J. K. WARBURTON.

No. 3.

REPORT OF THE MEETING OF THE HON. THE PREMIER WITH THE NATIVE OWNERS.—
WEDNESDAY, 20TH JANUARY, 1892.

The Hon. the Premier, accompanied by the Hon. the Attorney-General, the Public Trustee, and Mr. Stafford (solicitor advising the Public Trustee), attended at the Harmonic Hall, Patea, at midday, where he was met by the following among other natives: Ngarangi, Ngapaki, Mawhiti, Tautahi, Ngaruru, Wakarua, Kauika, Tutange, Tawake, Ratoia Tamawhero, Raku, Rama, Titahi, Mihaka, Moke, Hori Mukakai, Kereopa, Tuirirangi, Tumahuki, Tupatea.

Hon. the Premier then addressed the Natives as follows, Mr. W. Williams acting as interpreter: I have called this meeting to consider the question of the confirmed leases. I have asked the Attorney-General and the Public Trustee to attend. The Public Trustee, as you are aware, has the control over the lands under the law. He cannot go outside the law, and therefore what he has to consider to-day is simply his rights under the law, both as to the Natives and to the European lessees. I occupy a somewhat different position. I have come to consider whether any agreement can be arrived at between the Native owners and the lessees, and have to consider, therefore, the possibility of legislation next session. You are aware that there have been various Acts passed on this subject, and that those Acts have failed to carry out satisfactory arrangements between the owners of the land and the European lessees. The Acts having failed, there may be an attempt next year in Parliament to introduce another Bill on the subject. I have therefore called this meeting of the Natives in order to get their views as to the question of legislation. I have also called a meeting of the lessees for a later hour this day. My object, as you will see, is to put the case fairly before you, and to obtain the views of both parties, so that I may discover the differences which exist between you, in order that I may, if possible, remove the difficulties. I therefore invite a candid expression of your opinions on the various points which I will set before you. First of all, there is the question of the

existing leases; then the position of those lessees whose leases have expired; the question of legislation next session; and the question of the rents which have accrued and are accruing. I may tell you, with regard to the rents, that the Public Trustee has a large amount of money at present in his hands, and he is prepared to pay that money over to the Natives. The rents that he has received are based on the old leases. The rents which would accrue under the new leases, of course, would have been more. That, however, is not our fault: we have not been able to issue the new leases. And then I would like to call your attention to the question of the leases. If you are agreeable to fresh leases being issued, whether these leases should be upon the improved value of the land or the unimproved value. Now, I want your answer upon these various questions; and if you would allow me to make a suggestion, I think it would be preferable for you to select two or three of your number to speak on these questions. Our time is comparatively limited, and it will save time, and lead, perhaps, to a clearer understanding, for a few of those who are most conversant with the matter to address the meeting. I will now leave the matter in your hands.

Ngarangi here rose on behalf of the Natives, and said: I am very pleased with the remarks you have made to the Natives. I wish to tell you I do not wish those gentlemen [meaning the reporters] to take down what is being said, for the reason that they hear all that is said between the two parties.

Hon. the Premier: I would like to say a word on that matter. The question was put to me whether the Press should be admitted to-day, and I replied that I thought the Press should be admitted; and I did so for this reason, in order to have a correct report of the proceedings go forth to the public, instead of a mutilated and incorrect report; for it is clear that if the Press were not here a garbled report of the proceedings would go forth to the public, of some sort or other. It would be impossible to keep the matter secret where there are so many involved.

Ngarangi: The reason I made this statement is because at the Arbitration Court we were not allowed to have persons to report our speeches—our reporters were turned out; that is the reason I made the request. We are desirous that you should give us half an hour, because some of the Natives have only just arrived; so that we may ascertain how we will proceed.

Hon. the Premier: Do they wish the meeting adjourned for half an hour?

Ngarangi: Yes.

Hon. the Premier: Certainly. I hope they will be punctual, because our time is limited.

(Meeting accordingly adjourned at 12.20, and was resumed at 12.40.)

Ngarangi: We have considered the remarks you have spoken. The first thing related to the improvements. These improvements are ours: they belong to the Maoris. There is nothing for these people to improve; our lands are already improved; we have improved them. Secondly, the money for the old leases, of which you hold possession, you say that the Public Trustee has; and we wish to disburse that money to the people to whom it belongs.

Hon. the Premier: The rents accrued?

Ngarangi: Yes. The leases that have expired. Let the people be put off that land: that was the original agreement between us—that is, between us and the leaseholders. That ends that part. Fourthly, with regard to any new arrangement between us, you say that you are prepared to bring in a Bill to meet our views—the views of both parties. If you will return the land to us, that statement would be a correct one.

Hon. the Premier: What statement?

Ngarangi: My desire is that the land, at the expiry of the leases, should be returned to us, so that we may confirm them.

Hon. the Premier: The leases going on now?

Ngarangi: That is, the confirmed leases. Fifthly, with regard to the renewing of the leases, what we have to say about that—

Hon. the Premier: I understand with regard to No. 3 that that deals with the expired leases?

Ngarangi: Yes.

Hon. the Premier: I am not sure about No. 4. You might explain again what you mean by No. 4.

Ngarangi: You have come here to arrange about a better law. The law that we think would be a good one is for the land to be returned to us—that is, to allow us to deal with our lands—that is, that the Public Trustee should have nothing more to do with them, because when it was placed in his hands it brought all this trouble between the Europeans and the Maoris.

Hon. the Premier: Now I will take No. 5.

Ngarangi: Fifth. That is where the Europeans are desirous to have renewed leases. This is what the tribe have to say about that: we would not agree to do it. Let the land be given over, so as to be divided—so that each one will know what his own share is. Because I know some at the present time that are landless—who have no land of their own. That is all I have to say upon that point. That is all.

Ngapaki: This is the first word I have to say: that you were a Minister in times past. The word of prayer we gave at that time we give at this present. All that you have said to-day in the presence of these Natives—all that you have stated to the Natives has been taken to Wellington, and has been before the Supreme Court. We have heard that we have won those cases. All that we are doing at the present time is waiting the return relative to these cases that have been won. That is, we want you to answer relative to that case—that case has been won, and what is the answer to it? Now, that case has been won. All that you have stated to us has already been before the Committee of the House in Wellington, and they have already expressed their views. This is what we have to say: First, we do not want these men, the leaseholders, to be in the midst of us, because we have lost a great deal by them in four years. If you cannot settle this matter on this day, there will be another contention in the House. That is all I have to say. May you all live!

Tutange: Salutations to the Premier. There is nothing I have to say, but merely support what those two have already stated. I merely support what they have said, because it is not only their words, but the words of the whole. We have come to-day into the Premier's presence—we and all the people of our class. I want to speak what Ngarangi and Ngapaki have spoken. That is all I have to say. May the Premier live for ever!

Hon. the Premier: I am glad to have met you all here to-day, and to have heard the expression of your opinions, although I must say I am rather disappointed with those opinions. It appears to me you are in a state of war, with the war-paint on. You are not prepared for any compromise, or any agreement, or to make any concessions. The speeches remind me of the war-dance—I do not mean the actual war-dance, you know: I mean you are prepared to show no mercy to those unfortunate people. And no doubt you think you are powerful—all-powerful—by virtue of the judgment in the Supreme Court; but I would remind you that the powerful ought to be merciful at the same time. It may be found, too, that there is a wise policy in being merciful. You have not secured the victory altogether yet, even in the Supreme Court. The settlers have rights which you have not fully considered: there is a law still which affects them. My object in coming here to-day was to arrange, if possible, some kind of agreement which could be based on equity and fairness—some agreement that would be fair to both races. I do not wish to take from the Natives any rights they now possess. And I will now go through the points raised by Mr. Broughton. First of all, with regard to the improvements, I am inclined to think that there is a great deal to be said for the Native view of the case. When I brought in my Bill in 1887—that was not the Bill that became law: the Bill that became law was Sir Harry Atkinson's Bill. Before we left office in 1887 I brought in a Bill which secured to the Natives their improvements, with one exception; that exception was houses—private houses. These houses were put up by the Europeans on the understanding that they would have renewals of their leases; for the Act of 1884 did give them power, apparently, to have their leases renewed. It did appear to me, therefore, that it would be fair and equitable that the Europeans should have the benefit of the houses which they had erected; but all other improvements—such as fencing, and grassing, and draining, and so on—were, in my opinion, the property of the Natives. Well, now, I cannot say, of course, what would be done with regard to these matters; but if we do legislate upon these matters we shall legislate upon the lines I laid down in 1887. My opinion has not changed since then. And now, with regard to the question of the rents accrued. The Public Trustee has taken action to recover the old rents—the rents which are due up to the present time. He has a considerable amount of money in his hands: that money is the property of the Natives, and will be distributed amongst them forthwith. There will be no delay in that matter. Therefore the rights of the Natives have been upheld by the Public Trustee in seeing that these rents have been paid; and the Public Trustee considers it his duty to enforce payment of these rents—a duty imposed upon him by law—and to pay the rents forthwith over to the Natives, who are the proper owners. Now, with respect to the expired leases, I do not draw any distinction between the leases that have expired and those that are unexpired. It appears to me that they stand in the same position. I will come, however, afterwards to the question as to the renewal of the leases. The law that Mr. Broughton says he wants, and that the people want, is to take the lands from the Public Trustee. If we agreed with you that the lessees had no rights, we might take the land from the Public Trustee's hands, and hand it over to you; but, as we believe the lessees have rights, we think, in order to protect them, it is necessary to retain the lands in the hands of the Public Trustee. Now I come to the heart of the question. Mr. Broughton says he will not agree to new leases—to any consideration or reconsideration of the position of the tenants as far as the leases are concerned. My own opinion is that the Natives ought to agree with the lessees for a fair rent on the present value of the land, less the houses erected upon it, and that that should be validated by law if necessary. We are not sure it is necessary. We are inclined to think that the law as it stands does give the Public Trustee power to lease for twenty-one years. I have put that matter before you simply, and without many words. I want you to carefully consider it. The desire of the Government is, as I have said, to deal fairly with both parties—to get the Natives a fair rent for their lands, and to obtain for the lessees a reasonable tenure. I do not know that I have anything more to say. I do not come to you for a decided answer to-day. I want you to consider the whole question fully and fairly. There is plenty of time between now and next session to have the matter reasoned out. I shall always be glad to receive any of your chiefs who should be sent to Wellington, and have the matter fully discussed. I do not wish to do anything in haste, and I thought it would not be fair to you to introduce a Bill next session without having met you face to face. You will now have an opportunity of considering the words I have said to-day. They are friendly words; and, although they have not been such as Mr. Broughton would seem to expect, still I believe that they are in the interests of the Natives, and it will be wise for the owners of the lands to consider them fully before they come to a final decision to oppose them. There are many men in the House who are desirous of passing legislation of a very different character from what I have stated to-day; but the Government desire to stand between both races, and to deal fairly between them. I have nothing more to say; but, if any Native has any question to ask, I shall be glad to answer it, and to explain anything I have said.

Ngarangi: I have heard all that you have said, and it is clear to me. I said to you a little while ago, "Let the Public Trustee be done away with in regard to our lands." As soon as they got into the hands of the Public Trustee there was trouble, great trouble. Our money and all have been lost. This is one of the things that caused the trouble: Some of the leaseholders go two or three years without paying. How is it the Public Trustee does not step forward and see to this matter? This is another word I have for you: This lease I hold in my hand—the money for the first five years has to be reduced.

Hon. the Premier: What lease is this?

Ngarangi: George Gower. These leases have been let at a low rental because the house and

all improvements were to be theirs—for the first five years at a low rent, and so increase as they went on. The sum and substance of what I have to say is, I do not wish the Public Trustee to manage our affairs.

Kauika: I have a question to put to you. What about the Crown grants that were given to us by a former Government? We have Crown grants that entitle us to these lands—that is, the people. I want to know if these Crown grants were wrongly issued to us in the first instance. Are they worthless? Shall we burn them in the fire? This is my question to you.

Hon. the Premier: I will answer the last question first. The Crown grant gives to them the land. We shall not go behind the Crown grant; that is conclusive. The land is theirs; we do not dispute that; the laws uphold it, and the Government will administer the laws. Well, now, with regard to the question of the Public Trustee, my words are on record. I have said that so long as the lessees have rights the Public Trustee must remain. As to the payment of the money, whatever may have taken place in the past, there will be no delay in the future. The Public Trustee will pay the money over as soon as he gets it. But we have found in the past one or two chiefs have taken the money and the others have gone without their shares. That has been unfair to the bulk of the Natives. The Public Trustee will now see that the money which he has collected shall be paid to the Natives—that is, to those to whom it belongs. As far as the Public Trustee is concerned, I do not think you will have any cause to complain in regard to the prompt payment of your moneys in future. If you have, I will be the first to interpose and see that any grievance of the kind is at once redressed. With respect to the lease handed to me by Mr. Broughton, I am advised by my colleague the Attorney-General that this lease does give the Natives the whole of the improvements, and therefore I am bound to say, in fairness, that any rent should be upon the value of the land as it stands. We do not wish to destroy any legal rights that exist, whether those rights are in the possession of the Natives or the Europeans. I now think I have answered all your questions. I ask you to fairly consider my words, and if you should send a deputation to Wellington before the session I shall be glad to see it, and talk matters over. And now I wish you a very good day. I am pleased to have met you all here.

Kereopa: I have been listening to all that you have said. I am one of the speakers, but I am behind those speakers. You have said a great deal, and I have taken possession of all that you have said.

Hon. the Premier: I may say, Mr. Williams, although I have come here at a considerable amount of inconvenience, and have a great deal of work to do, if the Natives think of any fresh proposition to make and they would like to see me again, I shall try and make time to see them again before the session.

Rongo: What I wish to speak about is my lease, which has already expired, but the late lessees are still sitting upon the land, and the Natives want possession of it.

Hon. the Premier: I would refer you to the Public Trustee.

The meeting terminated at 1.10 p.m.

No. 4.

REPORT OF THE MEETING OF THE HON. THE PREMIER WITH THE LESSEES.—WEDNESDAY, 20TH JANUARY, 1892.

The Hon. the Premier, accompanied by the Hon. the Attorney-General, the Public Trustee, and Mr. Stafford (solicitor advising the Public Trustee), attended at the Harmonic Hall, Patea, at 3 p.m., where he was met by a number of the lessees, including the following: Messrs. W. Symes, H. T. Turner, J. R. Lysaght, F. Lysaght, F. Riddiford, P. Wilson, G. Bayly, A. Law, J. McGregor, J. Davidson, W. Wilson, G. and W. Newland, J. H. Siggs, E. Gallagher, T. Nicholson, D. Buchanan, J. Verry, W. B. Balmforth, G. V. Pearce, A. Symes; J. Ross, W. Gower, and G. Gower.

Hon. the Premier addressed the lessees as follows: Gentlemen, I have called this meeting for the purpose of obtaining your views in regard to the difficulty concerning the new leases. Before I explain any further I would suggest to this meeting that it might possibly be desirable to have a Chairman formally constituted. If so, you will elect a Chairman among yourselves, and have the meeting constituted in the usual way. If you desire to have it less formal, I will proceed to put the matter before you in the light it presents itself to my mind. In either case I shall, of course, state the circumstances. If you think, yourselves, you would like to have a Chairman I would ask you to nominate one.

Mr. J. R. Lysaght, sen.: Speaking for the body of leaseholders, I gather their view is that there is no necessity for appointing a Chairman. We are come here, Mr. Ballance, to hear what the Government propose in our case to meet our interests. Mr. Walter Symes was appointed by us as a representative, and I merely rise to say that as far as I am aware there is no necessity for appointing a Chairman. Mr. Walter Symes will speak on our behalf.

Mr. Walter Symes: Gentlemen, this is a matter that has been agitating the country, or this particular district, for a number of years now, and it will require going over for some considerable time back—as far back as the year 1879. I may say, prior to the Act of 1879 these lands had been leased by the present lessees—in most cases, at any rate—and it was a thorough understanding between the Natives and the lessees. But perhaps I am rather premature. It has been just suggested to me—I was not here at the start—that it would be very much better if we heard the views of the Hon. the Premier on the matter.

Hon. the Premier: I may say, gentlemen, that I called this meeting without any definite proposition to put before you, but rather with a view of eliciting from yourselves your views and opinions upon the question, and to receive from you any suggestions you desire to make in view of the possibility of legislation next session. I think it is quite possible that there may be legislation proposed by the Government, and I thought it desirable to obtain on the one hand the opinions of the

Natives, and on the other hand the opinions of the settlers, to enable us to find out exactly where we are. There has been a great deal of misunderstanding in this matter. The Natives themselves think various things as to the attitude of the settlers towards them. I am aware that a great many of the Natives think the settlers are entirely hostile to them, and prepared to exact from the Natives the pound of flesh to the last scruple—are prepared to make no concessions whatever, but to stand upon the assumed rights of the Act of 1887. That is the opinion of a great many of the Natives, and it is the opinion of a great many of the advisers of the Natives too. But I do not understand, however, that is really the opinion of the settlers. If I am rightly informed, it is the desire of a great many of the settlers to come to a fair and equitable agreement with the Natives respecting their leases, quite apart from any legislation that has taken place, or anything that has taken place in the past—that all the settlers require is an equitable and fair arrangement with the Natives upon the basis of the existing leases. They are not prepared, as I understand, to go back to the Act and say, "The Act gives us certain things, and we are prepared to enforce those conditions." And here I would like to inform you that I do not myself wish to interfere with pending litigation. If I had thought that any considerable number of the settlers were determined to pursue the appeal to the Privy Council, as some of them had resolved upon, I should not have been here to-day. But, so far as I can gather from some of the settlers, their desire was to waive litigation, to waive that appeal, if some fair and equitable settlement could be arrived at. All these questions are merely matters of rumour; they are statements made irresponsibly by settlers. What I require to know to-day is something that would be official and authoritative from the settlers themselves on this question, and which will enable us to proceed next session with a full knowledge of the position before us. The Natives say they want the land back again. That is their demand at the present moment—that where the leases have expired the lands shall be handed back to them; and, in the case of the other leases which have not expired, that the land should be handed back to them when the leases do expire. That is the position of the Natives, taken up to-day: and that is the position of the Natives generally. I am not prepared to accede to the justice of that demand. I have always held that the settlers have rights, and those of you who remember the Bill of 1879 which I brought into the House will know that was my opinion then, and my opinion has not changed since. If, however, you have any particular suggestions to make with regard to what should be done upon this question generally, I shall be very pleased to hear them, and then I will give you my opinion in reply. Let it be clearly understood I am not intervening between those settlers who have appealed to the Privy Council, and what they believe to be their rights, if they think they can get their rights by an appeal. I have assumed, as I have said, that this appeal has been dropped, and that you will be prepared to have legislation on a fair basis, and that you want no more than an equitable consideration of the question. If you say you think the appeal to the Privy Council should be prosecuted—if that is your conclusion—I have nothing further to say. Now, it has occurred to me, if the settlers were allowed to make agreements with the various Natives—the Natives in the various grants individually—that that might be done upon some basis—either the basis of the present valuation, or the basis of the land-tax valuation, or some other basis. And then, these agreements which would have been entered into between the settlers and the Natives, quite unofficially and without having any legal basis, should be validated by a Bill next session. My own idea as to improvements in 1887 was that we should recognise the fact that the settlers had put up houses, and give to them the improvements of the nature of houses which they had erected; but that the grassing, fencing, and other such improvements belonged to the Natives, and that the rents should be based upon those improvements. My desire is to know the minds of the settlers, in order to assist you, if we possibly can, without injuring or prejudicially affecting the Natives, with a view to legislation next session. If you can assist me I shall be very pleased, because nothing is more at the heart of the Government than to see this question settled once for all, as we think it is injurious to the cause of settlement, injurious to the settlers, and injurious to the Natives that it should remain unsettled; and we desire to see an arrangement made between the two parties as soon as possible. That is my desire in coming here to-day—to effect a reconciliation, and to see if something cannot be done to give the Natives their titles on the one hand and to satisfy the lessees on the other. As to the Public Trustee, he is here to-day, but he occupies quite a distinct position from what I do, as representing the Government. The Public Trustee, after advice, has conceived it to be his duty to take action to get in back rents. He believes that to be his statutory duty, and he has pressed those who owe rents to pay them, with the object of handing the rents over to the Natives. That is his position; but that is not my position. My position is rather to see what we can do by way of legislation to be brought in in the future to settle this question once for all. We have not interfered with the Public Trustee in carrying out what he believes to be his statutory duty; he has done that quite independently, and after being advised as to what the law says on the subject. My position is this: We want to see if we cannot bring in legislation next session to satisfy all parties, and put the settlers in the proper way of getting their titles. Now, I shall be pleased to hear what Mr. Symes has to say.

Mr. J. R. Lysaght, sen.: I am glad Mr. Symes is deputed to speak on the matter, inasmuch as I labour under a physical defect in not being able to hear freely what is going on. I am glad Mr. Symes has been placed in the position of spokesman.

Mr. W. Symes: As I have remarked, it is almost necessary, to follow up the course of events, to go back to the year 1879. Prior to that we had leased the land from the Natives, and expended considerable sums of money in improvements, and carried out the terms and conditions, and everything went smoothly with the Natives so far as we knew—we never had any complaint from them. About that time (1879 and 1880) a Royal Commission was appointed to investigate the Natives' titles, and to examine the leases. The Royal Commission, I think, was composed of Sir William Fox and Sir Dillon Bell. As a result of the Royal Commission, an Act was passed in 1881 prohibiting further dealings with these lands, and it was made retrospective—made to apply to leases

entered into subsequent to December, 1879. But the lessees in all matters have followed, as far as practicable, the law in existence at the time; and the regulations made by successive Governments led up to the Act of 1884. This Act allowed confirmed leases to be issued on the surrender of the old leases. But the Act of 1884 was found to be inoperative, and the Government then, to remedy this, passed the Act of 1887, forcing the surrender of the leases and the issue of new ones, on certain rents and conditions to be arrived at by arbitration. This Act also empowered His Excellency the Governor in Council to make regulations for carrying into effect the arbitration. The regulations were issued, and the arbitrators appointed—one by His Excellency the Governor, and the other by the lessees. These arbitrators proceeded under the regulations that were issued, and held Court, took evidence upon oath, and made their award, and, as is well known, at a very heavy cost to the lessees—something like between £4,000 and £5,000 for the costs of the arbitration. The lessees accepted these awards as binding, and conformed to them; but subsequent to this appeals were made by the Natives to the Supreme Court, and the matter was afterwards carried to the Court of Appeal, and it was decided that the regulations issued by His Excellency the Governor in Council were *ultra vires*, and all the awards in consequence invalid. This decision has been appealed from—at least, the necessary preliminaries have been taken to carry it to the Privy Council. A great many of the leases, I believe, have expired, and something was required to be done to keep them floating. Of course the Natives will attempt to eject the tenants. In many cases actions have been already commenced against them.

Hon. the Premier: Not by the Natives.

Mr. W. Symes: By the Public Trustee as representing the Natives.

Hon. the Premier: I understand, Mr. Symes, that is for non-payment of rent; not to eject the tenants because the leases have expired, but through non-payment of rent.

Mr. W. Symes: And not through the leases having expired?

Hon. the Premier: No. So I understand.

Mr. W. Symes: Petitions were made to the House of Representatives in 1890 and 1891, on which reports were made, which I need not refer to. We think that, seeing it is impossible to carry out the promises of successive Governments; that the Acts give thirty-years leases to the lessees; that they have been put to considerable cost in the matter—the cost of the arbitration, law-costs, and then again to considerable expense in further improvements on the strength of those Acts—we think that, as it has been admitted in the House by the heads of successive Governments that the lessees were entitled to some compensation in these matters, we would ask that it be considered as one of the points. And on behalf of the leaseholders I say we are willing to accept ordinary twenty-one-years leases, at a rental of 5 per cent., computed upon the present land-tax value, less improvements; so that I think it will be clearly seen that the leaseholders are quite willing to meet the Native owners on liberal terms, and in no way are they hostile to them, so far as I am aware. In fact, so much the contrary that in many cases the Natives have themselves expressed a desire that the present lessees should have new leases. It is now only a very short time ago that my principal landlord himself was very desirous that I should have new leases, and I have heard many others express themselves in the same way in other lessees' cases. So that I think it is clearly shown we are not in any way hostile to the Natives, and that we are quite willing to meet them on fair and reasonable grounds, and we ask nothing but what is considered fair, and reasonable, and just, as far as it can be granted. We ask for nothing unjust or unreasonable from them. I think that is the main point. If any of the lessees can help me in anything I have forgotten, I shall be very pleased.

Hon. the Premier: Would any other settler like to offer any observations?

Mr. Riddiford: I believe you said just now that your view of the way to settle this question—I may be wrong—would be to allow for the houses and buildings put upon the land, and for the tenant to pay upon the improved value. I may state that in some cases the houses would be a very small matter on a farm. I will take my own case for instance—and I am not singular. I have principally a bush farm, and most of my money has gone in felling this bush, and if I were to pay on the improved value, I should stand in no better position than any outsider would. I presume if I paid on the improved value I should be paying the market rate, and I should not be protected in the slightest. As far as I am concerned, I think that would be rather unfair. It looks to me like a sort of rack-rent, because my neighbour, who has not improved his farm, and left it mostly standing in bush, would be rated on the unimproved value. I who have spent my money and energy in clearing this farm—I should be paying on my own exertions. It seems to me that would be very hard.

Hon. the Premier: How long have you had the land? For what time does your lease run?

Mr. Riddiford: How long to go?

Hon. the Premier: Yes.

Mr. Riddiford: I hold various leases: six years is the shortest.

Hon. the Premier: How many years have you had it?

Mr. Riddiford: Twenty-one years. I have occupied it from the first.

Hon. the Premier: I may say, gentlemen, that, although I gave my views, I did not go into matters of detail. It may be a great hardship in a case of that kind; but the settlers agreed with the Natives that they were to pay on the improved value of the land—that is to say, they were to hand back the land at the end of the term. That was the condition of your leases, was it not?

Mr. Riddiford: That was the condition; but I had a verbal arrangement with them that I should have a renewal. But that goes for nothing, as it is not in the lease to verify it. I might mention that there was a piece of land adjacent to mine occupied by men whom they termed speculators, and who did not improve it, and they came to me and offered me, if I would take up that land, they would forego any rent—if I would buy it from the then lessee, they would forego the rent. They were pleased, I presume, with the way in which I had improved the land, and I contented, unfortunately for me, and took it up.

Hon. the Premier: Do you think, if you had the right of making this arrangement with the Natives at the end of the term, the Natives themselves would consider that verbal promise made to you?

Mr. Riddiford: No; only the old ones. The old Natives would. The drawback is that the lessors and the grantees are two different tribes of people.

Hon. the Premier: In a verbal promise of that kind, as you know, there cannot be any great weight, coming from any one, in the matter of a lease extending for twenty-one years.

Mr. Riddiford: I grant you that.

Hon. the Premier: I am not saying that equitably you are not entitled to some consideration—possibly you are; it appears to me, however, that if the settlers were allowed to make their own arrangement with the Natives—if you arrived at a fair rent yourselves—then legislation would follow in the way of validating what had been done. I am inclined to think that would be the solution of the difficulty. Mr. Symes has given some indication of what might take place. The settlers might make some fair arrangement with the Natives as to the rent they were to pay. In a great many cases that might be done, if not all, if time were given. Mr. Symes has said this is the mind of the settlers on the point, I think: that a lease for twenty-one years, at 5 per cent. on the land-tax valuation, *minus* improvements, would be satisfactory. But my own opinion is, that would not be accepted by the Natives. I think the Natives are not prepared, as far as I know their minds on the matter—Mr. Symes can confirm it, I dare say—they are not prepared to accept rent on the unimproved value of the land, because what they contend is that the land would fall to them at the end of the term, and they would have the right of making new leases, and the new leases would be upon a rent calculated on the improved value of the land. I would like you to keep in mind this, gentlemen: that any proposal brought before the Legislature must be based upon equity between the parties. After the discussion that has taken place on this question there is no probability of legislation going through Parliament unless it is fair and equitable to both parties. I may tell you also that there is an almost unanimous consensus of opinion that the Act of 1887 was not fair to the Natives. That is the impression on the minds, I will venture to say, of three-fourths of the members of the House—especially on that one point, the rent being on the unimproved value of the land; because up to that time it had never been contemplated by any leader of public opinion in Parliament or the colony that the rent should be on the unimproved value of the land. The Bill which I brought in myself in 1887 calculated the rent should be on the improved value of the lands, except houses, which should be allowed. Mr. Lysaght was there that session, and he agreed, I think, with the fairness of my Bill; but he went a little further, and got that hurried legislation through in 1887. The result was that the Natives took action, backed up by opinions from various parts of the colony, of lawyers and others, that the terms were not equitable, and the regulations under that Act were upset. You have to arrive at something that will be acceptable to Parliament. If you do not do that, you will have no chance of getting a Bill through at all. My own impression is, you should face the position, and have the rent calculated on the improved value of the land, less, possibly, the buildings and houses. If you do that, then I think the assistance of a large number of those in the House would be obtained to back you up; and I think the gentlemen advising the Natives in the matter would recommend something of that character. I have held, and hold still—and I have told the Natives to-day—the settlers have rights, and as far as I am concerned I will not consent to have the settlers turned off their lands, either where the leases have expired or in cases where the leases have to expire; but at the same time I firmly believe the settlers should consider what is fair and equitable, and come to some understanding on the point. I do not know whether the settlers have deliberated and carefully considered that one point, as to the improvements, mentioned by Mr. Symes to-day. That is, I think, the point on which a fatal difference of opinion may arise; and I ask you to reconsider it. The Government occupy a position of absolute neutrality in this matter, but they do desire, from the responsibility which belongs to them, to have this matter settled once and for all. We would like to see the settlers get their rights, get advances upon their land, and perform the work generally of good settlers. That is the position we take up in the matter, and I express my opinion quite independently and quite fearlessly upon this point. I told the Natives exactly what I think upon the subject of turning the settlers off the land, and I tell you now what I think on the question of the improvements. We do not want to have any answer to-day—before next session will be time enough. You will have to consider it carefully, and I would recommend you to send down a deputation to Parliament or to the Government before the session begins. I should be sorry to see next session pass without some arrangement being come to. That is the position we take up in the matter. I have expressed the opinion that these proceedings should be perfectly open and perfectly unreserved to-day, believing that the more publicity which is given to both sides the more sure we shall be to come to some satisfactory conclusion. I have nothing more to say now, gentlemen; I would like to hear the opinions of some of the settlers upon the points raised to-day. There is nothing to conceal in the matter, and the more open it is I believe the better in the way of arriving at some result.

Mr. P. Wilson: As to the valuation, you will recognise that a considerable number of the leaseholders have leases which have not yet expired. Some of these gentlemen have leases with ten years to run, and some of them six years, and we should suffer, because the rent we occupy under now is considerably less than we should subsequently occupy under if the rental was based on the improved value of the land-tax valuation. It would be a hardship on the part of those who have to give up their holdings and take fresh leases for twenty-one years—that is to say, part of that time will absorb part of the unabsorbed term of their present leases.

Hon. the Premier: That may be made an element in the valuation. That is to say, where there are six years for the leases to run, and a new lease has to be taken up, clearly the value ought to be less.

Mr. P. Wilson: Successive Governments have recognised the advisability of issuing fresh leases

on account of the chaotic state into which the matter has got. I think, therefore, in giving up these old holdings for the sake of the new ones we are doing something in the interests of the Government. However, I am very well satisfied with the proposition you have made, and I think all the rest of the leaseholders will be too.

Mr. J. R. Lysaght, sen.: I think, if that is the case, I must have misunderstood, from defective hearing, what Mr. Symes enunciated just now. I do not know whether I heard exactly what your proposition was, Mr. Symes—the rental should be based on the unimproved value?

Mr. W. Symes: Yes.

Mr. J. R. Lysaght, sen.: Of course, I am acting with other gentlemen on the committee, but I was not aware that formed part of the proposal. I do not see how it could be workable in respect to those leases that have already expired, of which there are several. The rentals would have to be based on the main value, as far as I can see. Mr. Symes's remarks with respect to that could only apply, I presume, to those leases Mr. Wilson has just referred to, that have several years yet to run. That is so, is it not, or had your proposition a general application?

Mr. W. Symes: General.

Mr. J. R. Lysaght, sen.: I am sorry I misunderstood what was said.

Mr. Davidson: There is one thing of which I would remind you: the leases of the leaseholders are to-day in a better position than those they held fourteen years ago. When the first of these leases were taken up the country itself was in a wild state, and there were no improvements and no nothing. There was trouble, and the lessees ran great risks. And some years afterwards the Natives turned the surveyors from off the Waimate Plains. I consider the leaseholders are entitled to credit for the way they have occupied the land. There is hardly a single leaseholder among those who had the leases at first but what had a verbal promise from the Natives that if they used their lands well and acted fairly to the Natives they would have renewals at the end of the term. As far as I am concerned the day my first lease was taken up I was offered a renewal of seventeen years after the twenty-one years for which I took the land, on the same basis, and another gentleman suggested I should have twenty-one years after the expiry of the present lease. Hone Pihama was one of the contracting parties who made that agreement with us, and that was equal to a thirty-seven years' lease. With regard to the improvements, as Mr. Symes said, we would be willing to enter into a fair agreement and have our rights by the Government. I do not think it would be well to negotiate with the Natives. I do not think it would be acceptable to all parties. I think, as far as I can remember, we were restrained in 1879 from having any further dealings with the Natives, and that we must fall back entirely on the report of the Commission. I think it is better to have the lands in the hands of the Public Trustee, for we know from the start it has been the cry of Te Whiti to have the whole of the lands back, and this would be a bad thing.

Hon. the Premier: With regard to what Mr. Davidson has observed, I have made no suggestion of the kind—that the lands should be taken out of the hands of the Public Trustee.

Mr. Davidson: I must have misapprehended.

Hon. the Premier: I did not indicate it in the slightest degree. On the contrary, I told the Natives there was no probability of the lands being taken from the Public Trustee. What I suggested was that you might possibly come to some conclusion with the Natives themselves, and then we could step in and validate this arrangement. I put that more from the suggestion made by Mr. Symes, that the Natives told him that they were prepared to give new leases. That would indicate that, if the Natives came to the settlers in respect to any particular question, negotiations would be opened up, and they would come to some conclusion as to what was a fair rent. Then, having come to that conclusion, the Government should have power by Order in Council to step in and validate those rents. That would not take the matter out of the hands of the Public Trustee: it would simply mean that you would take the matter into consideration, and come to some conclusion as to what was fair. I throw that out as a suggestion, and I think you will admit that is one way of arriving at a solution of the difficulty.

Mr. George Newland: Do you mean, sir, that we should arrive at a conclusion individually with the Natives, and submit it to the Government?

Hon. the Premier: I will illustrate what I mean. There are forty Natives, we will say, in one particular grant. Supposing the settlers who had leased the land under that grant arranged with the forty Natives, or three-fourths of them, or a majority, what was a fair rent and fair terms, then, if the Public Trustee approved of that arrangement, an Order in Council might be made making that the rent the lessee should pay for twenty-one years. That would mean that the negotiations should begin between the Natives who are in the grant and the settlers who hold the land under the grant, and if they arrive at any conclusion about the matter the Order in Council steps in and merely makes the terms legal. That is only one suggestion out of many. There is another way of doing it—by appointing an arbitrator on the part of the Natives and an arbitrator on the part of the Public Trustee to settle what the rent shall be, and then to have an Act passed to make that the legal rent and terms. I am not sure that the Natives would agree to that. They might oppose it. Then there is the other idea, of taking thirty years, and then arriving at the rent from the valuation of the Land-Tax Commissioner, and taking five per cent. on that valuation as a fair rent. I am only pointing out to you the various suggestions that might be adopted in settling this difficulty. It would be well to look at the matter all round and discuss it yourselves. I see, myself, a great difficulty, which perhaps none of you see so clearly—though perhaps Mr. Lysaght does, because he was there several sessions. I see the great difficulty of getting a Bill through Parliament unless that Bill does express the agreement of the Natives as well as the lessees. That is a point you must keep in mind. It is not what you would like, but what you are likely to get from the Legislature. Do not overlook that. That must be kept in view. You have been trying for eight years to get satisfactory legislation, and year after year you have failed. Why? Because the Natives

opposed the measures which were introduced in the House. That has been the chief reason why you have not had legislation before now; and you will all recognise the difficulty we have in getting legislation of this kind through the Legislature.

Mr. Davidson: We have been trying to deal with the Natives all along; but with them it is not so much a matter of leasing the land to the Europeans as it is a matter of getting the land back into their own hands, under Te Whiti's direction. I may be wrong, but I do not believe that a single objection has been raised in the case of the awards in the Patea district.

Hon. the Premier: I can only say I am not under Te Whiti's influence. You will admit that?

Mr. Davidson: I do not think so. I hope not.

Hon. the Premier: Any legislation that passes through the Legislature is not at all likely to be influenced by Te-Whiti-ism, and we are not likely to allow the lands to pass into the hands of the Natives. I have told the Natives all through that the settlers have rights, and those rights must be respected. I have not for one moment expressed doubt on that point. I am prepared to defend the settlers up to what is fair and right in this matter.

Mr. J. R. Lysaght, sen.: I am afraid one of the propositions—that the settlers should treat with the Natives themselves—would so far be utterly unworkable, simply on the ground that Mr. Davidson alluded to just now—that the Natives are looking forward to resuming possession of the land, and dealing with it themselves. But for various reasons I do not think we could rely upon anything like unanimity amongst the Natives. In fact, none of the large bodies of Natives would consent without the concurrence of the leading Natives; and they are looking forward to getting the lion's share of the land, and the rental as well; and that proposition, I am afraid, however much we might wish it, would be utterly unworkable. I appeal to the body of leaseholders with whom I have been in the habit of acting if that is not borne out by fact. With respect to valuation upon property-tax returns, that might be workable in regard to those leases which have expired, but in the cases of those gentlemen who have further terms to run, of course, subject, as you said just now, to a valuation as to what the remaining term was worth, a valuation could no doubt be arrived at. I am afraid the other proposition as to treating with the Natives would be utterly unworkable.

Hon. the Premier: I do not say that I have been fortified by legal advice in the matter, but I throw out the suggestion that most of the settlers, if not all the settlers, have what may be termed good holding titles—that so long as you pay the present rent you can hold your land. That is a consideration for you. I do not say that is good law; but I am inclined to think you have good holding titles as long as you pay your rent. There has been no process served upon any lessee to turn him off his land as long as he pays his rent. Some settlers have not paid their rent, and the Public Trustee is advised that he would be acting contrary to the law in allowing the lessees not to pay; and he has enforced payment in order to hand the money over to the Natives. But he does not interfere with the tenure so long as the rents are paid. If it is true that you have good holding titles while you pay the rents, the Natives would be just as anxious as you are to make fresh arrangements. All these are suggestions I am throwing out for your consideration. I do not say you should take that particular course, and open up negotiations. That is one of the many courses you might think over before the time comes to legislate.

Mr. Siggs: In my own case there are 350 Crown grantees, and I only know three—

Mr. J. R. Lysaght, sen.: I am very much of opinion that if in your interview with the Natives you distinctly gave them to understand that it was hopeless on their part to enter into possession of the land—that they will be more amenable to reason. In that case I think the bulk of the Natives would be able to come to some other arrangement; but as long as they have got the idea that at the expiry of the leases they would be able to resume possession, I am afraid it would be futile.

Mr. A. S. Hobbs: I would like to make one remark in reference to the leases—that, knowing some of the Natives, and some little of the people that mix up with them as interpreters, and so forth—suppose my lease is out, and So-and-so's lease is out, I wish to treat with the Natives to get it on a fair rental—at the rental you suggest—with the improvements, houses, and so forth: what is to prevent the same thing taking place as has taken place in respect to the old leases? If I wish to renew it, another person comes to the Natives, and says, "I can give you 9s. or 10s. on it. I will give you more." So that the present occupier has no chance with them if the Natives have to deal with it themselves. I certainly suggest that the matter should be entirely left with the Public Trustee. I know there are some in this room who have done it, and will do it again.

Mr. W. Symes: There seems to me some slight misapprehension as to the improvements. It was not a hard-and-fast rule laid down, but it was what the Government considered just improvements. We do not take it as land-tax improvements, but what the Government considers just improvements. I think I understood you suggested buildings as an improvement. If the Government consider that to be the only just improvement, I think I can speak authoritatively for the lessees that they are quite willing to submit to that. We have laid down no hard-and-fast rule as to the improvements whatever. Several have also spoken about attempts to get the lands from the Natives, which you, sir, have so clearly explained. I think, myself, it would be quite useless. In my case I think I had some nineteen out of about twenty-seven, or something like that, of grantees at a meeting who consented. They wanted to know what *homai nomai* I would give them. I said, "Nothing." One of them suggested that I should give them £100; but they were quite willing I should have the leases if I would give them *homai nomai*. That was all they wanted; and I think that a lot of the other cases are the same. They all want to get the money. They would give leases three or four times over in my case if they got *homai nomai* each time. I myself would leave it entirely with the Government to consider what should be just and fair improvements.

Hon. the Premier: If you have no other observations to make, I would simply conclude by suggesting that before next session you should appoint a committee. I believe there is a committee appointed, but you should make up your minds as to what course you think should be pursued,

and send a deputation to confer with the Government in Wellington on the matter before the session begins. I do not know that I can say any more than I have already said. It does appear to me that the settlers should consider the matter very carefully in the light of what is an accurate arrangement with the Natives, which would be most desirable to get the land of the Natives quite apart from Te-Whiti-ism altogether. If the desire is to get the lands back to place them under the mana of Te Whiti, I am with you. I do not think it is desirable to take it from the Public Trustee at all. If you can arrive at equitable leases, I think the Public Trustee can manage it with satisfaction to himself and to the Natives.—(Hear, hear.)—The Natives complained that the Public Trustee was not punctual in paying the rents. If there has been any want of punctuality in the past, I can give you my word that will not be so in the future. Anything that has taken place in the past in the way of a grievance is not likely to take place in the future. As to the Natives, they put forth unreasonable demands this morning; but I think I convinced them that they were unreasonable, and ought not to be pursued. As to yourselves, all you want is fair rents, permanent tenure, and to know where you are—(Hear, hear)—and, having due regard to the rights of the Natives, the Government will do all they possibly can to place you in that position. That is the intention of the Government, and we will assist you as far as we possibly can, keeping in view what is due to the Natives as well as the settlers. I have called this meeting in order to put the case fully before you, and in order that the Government may know the minds of the settlers, and that they may hear from the Government what their opinion is upon this question. We have not been able to place definite propositions before you, for the simple reason that we are not in a position to do so, and the parties have not agreed. You know the complications that have taken place; and it is impossible for the Government to get rid of all those complications at once. The Act of 1887 embarrassed the position; the judgment of the Supreme Court also embarrassed the position; and the Act of 1884 is a dead-letter as far as improvements are concerned. We have therefore to begin *de novo*; and the only way of beginning with this matter is to bring the parties together, hear what they have to say, and then proceed on the basis of equity. That appears to me to be the only course that can be taken on the subject. I may thank you, gentlemen, I suppose, for coming here to-day; it is all in your own interests. It will have given me real and great pleasure to have met you if any good result should follow from this meeting.

Mr. Riddiford: There is one question. In the event of our not arranging with the Natives, what will follow then, if the Maoris will not discuss the question?

Hon. the Premier: I think you should still continue to consider the matter as to what should be done in the way of legislation. What the Natives do or do not do should not, I think, embarrass your action, and prevent you from arriving at some conclusion as to what course you will pursue. Take your own line of action, and take steps to advance your own interests. It is for the Government to then meet you. The Government should not be guided altogether by what either the settlers or the Natives do. Arrive at some agreement if you can; if not, take your own line.

Mr. W. Symes: I would thank the Hon. the Premier most sincerely for the trouble he has taken and the courtesy he has shown in the matter.

Hon. the Premier: I thank you very heartily, sir.

The proceedings then terminated, having lasted till 4.10 p.m.

No. 5.

Mr. P. WILSON to the Hon. the PREMIER.

SIR,—

I have the honour to inform you that at a general meeting of West Coast lessees held in Patea on the 20th January, after their conference with you, a certain resolution was carried, a copy of which is herewith enclosed.

I have, &c.,

The Hon. J. Ballance, Wellington.

PERCIVAL WILSON,
Secretary, West Coast Lessees.

Enclosure.

GENERAL MEETING of WEST COAST LESSEES, held in Patea on the 20th January.

Present: Messrs. Lysaght, Davidson, Walter Wilson, Law, McGregor, B. Lysaght, F. Lysaght, Buchanan, Bailey, Siggs, A. Symes, W. Symes, C. Durie, T. H. Nicholson, Balmsforth, Turner, Pearce, J. Durie, Gallagher, G. Newland, P. Wilson, F. Riddiford, Hobbs.

Proposed by Mr. W. Symes, seconded by Mr. P. Wilson, "That the leaseholders agree to accept ordinary leases from the Public Trustee for twenty-one years, at a rental of 5 per cent. upon the land-tax valuation, less the value of any substantial dwelling-house and permanent farm-buildings, and so that where there is an unexpired term at a lower rental such lower rental should be considered in computing the new rent."—Carried.

No. 6.

Mr. A. WILLIS to Mr. P. WILSON, Waverley.

SIR,—

Premier's Office, Wellington, 30th January, 1892.

I have been directed by the Hon. the Premier to acknowledge the receipt of your letter of the 27th instant, covering a resolution passed at a meeting of the West Coast lessees at Patea on the 20th, agreeing to accept leases from the Public Trustee for twenty-one years, at a rental of 5 per cent. upon the land-tax valuation, &c. I am to ask you to convey the Premier's thanks to the lessees for the resolution, and to say that the matter will be duly considered.

I have, &c.,

Percival Wilson, Esq., Waverley.

ALEX. WILLIS.

Approximate Cost of Paper.—Preparation, nil; printing (1,350 copies), 46 12s.

By Authority: GEORGE DIDSURRY, Government Printer, Wellington.—1892.

Price 6d.]