

132. *The Chairman.*] In reference to that land that was leased where there is a difficulty about the road with the Trustee, what are the conditions of the lease under which those settlers took up that land?—Simply that the land was for lease for so many years.

133. Under the lease, was the Trustee bound to make the road?—No; there was no mention of the road one way or the other.

134. Then, the settlers knew what they were doing?—No; they thought it would be the same as the Government lands.

135. But this was not Government land?—I know it.

136. Then, summing up the whole of your evidence, in your opinion, has the Trustee not carried out the conditions of these leases to the tenants—has he or has he not carried out the conditions of the leases?—He has carried out the conditions as far as the interpretation of the Act goes; but we interpret the Act in the interest of settlement and the advancement of the country, and the Trustee interprets it only in the interests of the Natives.

137. You will admit that the Trustee is administering what is practically a private estate?—Yes; that is why we want a change.

E. M. SMITH, M.H.R., examined.

138. *The Chairman.*] You represent the New Plymouth District?—Yes.

139. This land that is in question is in your electorate?—Part of it.

140. Will you, in as brief a manner as you can, tell the Committee what you know of this land?—As the member for the district I have been present at meetings with the Premier of the colony with some of the most prominent settlers who hold leases under the Public Trustee. I have also been appealed to by them all round the district about the administration of the Trustee, and there is a general complaint all round the district about that administration. Their grievance is that the Public Trustee's policy is contrary to the policy of the Government in roads, in fencing, and also in the valuation of the land. I have myself presented petitions to Parliament, which have been dealt with by the Public Petitions Committee, and though that Committee have made recommendations to the Government, and although the Premier had requested the Trustee to stay his hand until an amendment to the law could take place to give these people redress, the Trustee refused to obey any order of the Government or the Premier. This particular case I refer to is of a man named A. Wray. He applied for a new lease. The terms under which he got the new lease are these: that a valuation should take place at the time that he agreed to the new lease; but the valuator did not come to make the valuation till some months after Wray had entered on occupation. The man had only a small section, and he had put improvements on it, and built a house. To his great surprise, he found that the valuer had valued his improvements with the land, and these the Trustee demanded, so that, actually, the very amount he had expended, instead of coming in at the end of the old lease under the system of the Public Trustee Acts, they came in at the commencement of the lease instead of at the end. The Trustee was willing to advance him an amount of money on mortgage, for which he had to pay 6 per cent. This he thinks very arbitrary, considering that the Trustee is lending money out at far less than 6 per cent. At any rate, the Trustee would not bend in any shape or form, and the man has had to pay the extra amount of money or throw up the land. This will prove the arbitrary conduct of the Trustee. Like all these other settlers, I have known Wells ever since I went to New Plymouth. They are very hard-working men, and I feel convinced that if their case had been brought before the Land Board or the Government or any proper body these settlers would have been met in a fair, just, and equitable manner. But the Trustee has expressed himself to me that he is above the law and above the Government—in fact, that he has a special law which gives him power beyond any other power, and if such is the case there is no chance of getting any redress. I have the greatest respect for the Trustee as a private gentleman, and I may say that things he has positively refused to do, as regards the making of roads and fencing, he is gradually coming round, and things he said before he could not do he is now doing. He is not leasing lands under the same conditions as the public lands, and he states in the lease that roads will be made. I appealed to him a few years ago about the public land, and asked him to send up settlers to make the roads. Well, he professed that he let those lands, but he let them low that he would not be called upon to make the road. He is making a road at the back of this land, and has suggested to his agent in New Plymouth that this road should do for both purposes. He has stated over and over again that he does not intend to look at it from any other point of view than that he is a trustee for the Natives, and looks at the interests of the Natives only, and does not care one jot for the settlers. In some cases I have been able to deal with the Trustee. In one case the Native owners agreed that they would forego the first half-year's rental due to them in order that it might be expended on the road. I believe the Trustee was astonished. He communicated with his agent in New Plymouth to find if it was true. It was true. The road has been made, and the settlers have taken up land on that road, that is the Tekorari. If he had administered other lands as he has done that there would not have been this discontent and these appeals to Parliament. In that case they appealed to me for it. There is a reserve at the end of the block for the Natives themselves, and the Natives cannot get possession. It has never been individualised, and they cannot get it. They have said to the Trustee that if he would give them that land they would become as Europeans, and pay taxes and rates. I hope he will take a note of that, and see that the land is individualised. I just say it to show that there is just cause for complaint against the Trustee. These Ngatihaeri Tribes there under the Trustee have also appealed to the House year after year to deal with their lands. Where the land is under the administration of the Government, and they apply, the Government has an investigation of the case, and in many cases has the restriction taken off, and every one is satisfied. When they appeal to the Trustee, he says he will not take any notice of what they say, neither of the Europeans on the one side nor of the Natives on the other—he is the Trustee, and he will administer the estate as he thinks proper. The law places him beyond the power of any other