

McGuire waited on Mr. Ward, on 27th August, 1894, and urged upon him as follows: [Appendix A]. All Governments, and especially the present Government, have been rather disposed to exercise their influence in the interests of the settlers. From the administration of Mr. Ballance onwards this has certainly been the case. To these representations of Messrs. McGuire and Hutchison, Mr. Ward replied as follows: [Appendix B].

I am then really a private landlord, whose ordinary rights of private ownership, or the rights for which I am trustee, it is the object to destroy by legislation in the interests of the tenants—by legislation which is not to be applicable to all private owners of property, but only to the private owners among a small portion of one race of the people—the aboriginal race. It was stated that this petition was a reflection on my administration. The witnesses have all declared that I am doing my duty as trustee, and I think myself that this petition is a testimony that I have carefully observed the law, and studied the interests of the estate; for the petitioners are the tenants of the estate, tenants whose interests are in conflict with those of the beneficiaries, and who would be unlikely to complain of having received any benefit at the expense of the estate. The motive for the trust, as I have already stated, was to protect the Natives from themselves, because, when they had the power to deal with their lands, the lands generally passed out of their possession. Any protest from the Natives, therefore, to an administration which is entirely in the interest of their estate, and which, as I will show by-and-by to have been the case in this estate, brings them in the greatest pecuniary benefit, must simply appear to be an accumulation of evidence of the necessity for the trust. I cannot regard the statements made as anything but evidence of a justifiable administration of the estate. The only petition that would be a reflection on my administration would be one which might follow proceedings where the Supreme Court had decided against me, and my administration had been carried out with disastrous results to the beneficiaries. If I could not have justified all my actions, and judgments against me in the Courts of law—the tribunals to which I am answerable—had time after time shown my administration to be wanting in judgment and disastrous to the interests of the estate, I might then have been open to a charge reflecting on my administration. The petitioners, however, and their witnesses either admit, or are unable to reasonably dispute, that I have the law on my side—that judicial proceedings would not be warranted or succeed against me. And the object of the petition appears to me to be that one private party—the petitioners—may by fresh legislation obtain at the expense of another private party—the beneficiaries—an advantage which the law will not at present permit. But if in a really private dispute like this the party whose contention the law may not support may petition with the hope of reversing such law, the regulation of our affairs by the common law would become unsettled. The opinions which the petitioners and their witnesses have ventured to offer—that in one or two instances the law would now justify me in doing some things which they wish—I will here pass over with the remark that the responsibility of a correct interpretation of the law, and of the exercise of a just discretion, lies with me. The witnesses for the petitioners and the tenants would dictate how the trustee should exercise his discretion, and they all talk as if the administration should be in their interests. I may say that so trained are the minds of many of the lessees of these reserves to expect from legislation affecting the Native race an appropriation at the expense of the Natives of some benefit to the settlers on Native lands, that many of these settlers, immediately after the passing of the Act of 1892, expected that not only would the lessees be entitled to new leases, but that the essential condition of the new leases would be a reduction of rent.

Take now each prayer set out in the petition. The administration has not probably satisfied the tenant, who desires advantages at the expense of the trust. But as to the Native owners, if they are not satisfied, the reason cannot be owing to any neglect of the only consideration which must influence me in the administration of their property, an administration in their interests alone. And that their interests have been studied the petition is the implied testimony. I will give you what has been done during the last two years. The rentals were about £7,000 a year before I took charge—that was, from the whole of the leases. There were then about 54,000 acres leased. During the last two years I have leased, in small sections, averaging about 170 acres, 38,819 acres in addition to the 54,000 acres leased before I took charge. I have increased the area of land bringing in revenue from 54,000 acres to 93,143 acres, and the income from the land has increased from £7,000 to £16,856, or, say, £17,000 a year. This has happened in about two years. I do not see how the Natives can petition on the ground that the administration of the trust is in any way unsatisfactory.

*The Chairman:* We have no petition before us from the Natives.

*Mr. Warburton:* The charges or expenses in connection with the applications for new leases are all reasonable and according to the Act, except that certain considerations not originally contemplated have been made to the lessees; and these charges are all incurred with the exercise of the closest economy. The land was inspected not only by a competent valuer, but by a Native, whose employment was expedient to give confidence to the Natives; and in Mr. Elwin's case the charge of £3 3s. was very moderate. Mr. Jones, the valuer, and the Native had to travel a long way, Mr. Jones coming from Wanganui. The reduction of the deposit, on account of the expenses in connection with the new lease, from £12 10s. to £7 10s. came out of a suggestion originating with me—that, if the expense of advertising in the *Gazette* and *Kahiti* could be waived, the reduction could be made. Mr. Ballance had nothing whatever to do with the matter except by way of approval. The advertisements of the notices by which the rent meetings were called were arranged at the specially low price of 1s. an inch, and they were all stereotyped in the smallest possible type. Their insertion was required by Act, and the length was regulated by the number of people whose names had to appear in the notice calling the meetings. It seems to me to be very reasonable that in cases like these there should be ample notice, and the notices were advertised as the law required, twice a week for three weeks. Besides these advertisements, a copy of the notice was specially addressed to every person concerned, and the attendance of the Native owners at the meetings proves that they received ample notice of them.