

the purchase-money (£140). The title is a Crown grant under the New Zealand Settlements Acts. The grant and conveyance are both in the Native Land Court Office.

The Hon. the Native Minister, Wellington.

G. HUTCHISON.

No. 4.

The Hon. the ACTING NATIVE MINISTER to Mr. G. HUTCHISON, M.H.R.

SIR,—

Department of Justice, Wellington, 4th August, 1897.

Section 569, Patea.—I have the honour to acknowledge the receipt of your letter of the 29th July, with reference to the application for the removal of the restrictions upon the above-mentioned land.

I am informed that the land-tax valuation of this section is £365, while the purchase-money agreed upon is stated in your letter to be £140. Under these circumstances, as the consideration appears to be inadequate, I regret that the application for the removal of the restrictions cannot be entertained.

I have, &c.,

JOHN MCKENZIE,

For the Native Minister.

G. Hutchison, Esq., M.H.R., Wellington.

No. 5.

Mr. G. HUTCHISON, M.H.R., to the Hon. the ACTING NATIVE MINISTER.

(Memorandum.)

Wellington, 9th August, 1897.

It was a contemptible revenge on your part, in the position of Acting Native Minister, to intercept the application I forwarded some days ago for the removal of the restrictions on Section 569, Patea district.

You seem not to have been advised that the exercise of the discretion which is vested in the Governor in such a matter should not be determined by the caprice of Ministers; still less should it be made the ground for the display of unworthy motives. If, instead of fastening with so much haste on a land-tax valuation—too often a fallacious guide—you had asked if there was any explanation of the discrepancy between that valuation and the consideration paid, you might have saved yourself some humiliation. The land-tax valuation quoted is entirely misleading. It was probably made by some one who never saw the land. Few ever have seen it. But, apart from the suggestion of any real or imaginary inadequacy of consideration that might have struck you, there was the plain line of duty on your part, as Minister, to refer the application for the report of the Native Land Court. The exact words of "The Native Land Court Act, 1894," section 52, applicable to the present case, are: "Restrictions on alienation existing prior to the thirtieth day of August, one thousand eight hundred and eighty-eight, may be removed or varied only by the Governor on the recommendation of the Court, and in accordance therewith."

I would have supposed, in view of recent manifestations of resentment on your part against myself, that you would have been glad, so as to avoid any ground for possible misunderstanding one way or the other, to avail yourself of the opportunity of referring the matter for judicial recommendation. But, with incredible littleness for a person in a public station, you ignored the open and straightforward course, and allowed instead the paltriest motives to commit you to a decision of which I should suppose you will yet be ashamed.

Of course, in the circumstances, I cannot accept your answer as other than an indiscretion—sufficiently gratifying, no doubt, in the meantime to your personal feelings because it causes at least some delay.

G. HUTCHISON.

Hon. John McKenzie, General Government Buildings, Wellington.

No. 6.

The Hon. the ACTING NATIVE MINISTER to Mr. G. HUTCHISON, M.H.R.

SIR,—

Government Buildings, Wellington, 11th August, 1897.

I have the honour to acknowledge the receipt of your letter of the 9th instant, with reference to the application for the removal of the restrictions upon Section 569, Patea district.

In reply, I have to inform you that, following the usual practice in such cases, the value of the section for land-tax purposes was ascertained, and, as there was such a wide discrepancy between that value and the price proposed to be paid, I, again following the usual practice, declined the application, and wrote to you to that effect. If you wish to furnish any explanation of the discrepancy between the land-tax valuation and the purchase-money I shall be glad to give it every consideration.

I do not propose to comment on the offensive tone of your letter, nor to follow your example of imputing unworthy motives, as I think it exceedingly undesirable that correspondence on a departmental matter should be conducted on such lines. I must, however, demur to the implied assumption in your letter that the Minister has no duty in respect of an application for removal of restrictions but to refer it to the Court and act upon the Court's recommendation. I differ entirely with this view of the duty of the Minister, and, so long as I continue to act for my colleague the Native Minister, I shall require to be furnished with the fullest particulars regarding any proposed transaction in Native lands that may be brought before me to deal with. I should have thought, indeed, that your own experience would have shown you that the utmost caution on the part of the Government is needed to protect the interests of the Native owners of restricted lands.