

86. On the 28th October, 1936, the Hon. Mr. Mawhete, M.L.C., who had attended with the deputation to the Prime Minister on the 11th September, wrote to the Right Hon. the Prime Minister in the following terms—

*Re West Coast Reserve Leases Acts, 1882 and 1892, Taranaki District*

A deputation of 25 Taranaki Maoris beneficiaries under above leases of which the Native Trustee is Trustee met yourself, the Native Trustee and myself at your office last month in which they asked for relief, in so far as the valuations of their lands under the arbitration system is concerned and asking that they should be given the right of appeal to an Assessment Court to review any valuations made on which the rental is based. Some of these valuations amount to confiscation in that the Maori has lost his equity. They claim that under the arbitration system they have no say, whereas under an appeal to an Assessment Court, a review may be taken of the valuations so as to give them a chance of stating their objections to any unfair value on which rentals to lessees are based. I understood the Native Trustee was to have sent in his report and valuations for your information to enable you to review the matter.

I would ask for your immediate consideration and to insert a clause in the Washing-up Bill of this session giving them relief; at the same time to suspend signature of all leases now ready for a renewable lease by the Native Trustee. I may also point out that the right of appeal against valuations should be open to lessor and lessee.

As this matter has been made known to the Native Trustee I would ask that his report should be forwarded to you immediately so that your immediate decision may be given.

Thanking you, Sir, in anticipation of an early reply.

87. That letter was, by minute of the Prime Minister, referred to the Under-Secretary, who says that he had many discussions with the Minister in connection with the matter in 1936, and who on the 29th October, 1936, wrote to the Acting Native Minister as follows :—

*West Coast Settlement Reserves Arbitrations*

If any action is desired in connection with these arbitrations a clause in the Native Purposes Bill this session will be necessary.

The Supreme Court's reasons for the appointment of the Umpire, and our Supervisor's comments on the valuations, are tagged hereunder. Will you please instruct as to what action is to be taken.

88. This letter was, on the following day, the 30th October, minuted by the Minister—"No action. F.L. 30/10/36"; and the Minister wrote to Mr. Awhikau, one of the leading members of the deputation of the 11th September, as follows :—

Tena koe. Referring to the deputation to the Rt. Hon. the Prime Minister on the 11th September when it was requested that a Court of Assessment be set up in connection with the valuations which have been made for the purpose of fixing the rents to be paid under the renewed leases of some of the West Coast Settlement Reserves, I now have to inform you that it has been decided that no action can be taken to give effect to the request.

89. There the matter rested until the 6th October, 1946, except that there were various petitions to Parliament from time to time by sections of the beneficial owners (and representations and deputations to Ministers) and reports were made by the Native Affairs Committee recommending (*inter alia*) that an Assessment Court be set up by legislation to investigate the new valuations between lessor and lessee: but no action was taken. On the 6th October, 1946, a deputation of Maoris waited upon the present Prime Minister and Minister of Native Affairs, the Right Hon. Mr. Fraser, and voiced their grievances. The Prime Minister said that a case had been made for a searching inquiry into the method of fixing rents and other matters. Hence, presumably, this Commission, which was issued on the 13th August, 1947.

90. Mr. King's understanding of the effect of section 19 of the 1935 Act we have already given, but that understanding was not correct; nor was Mr. Campbell's expectation realized. Nor do the lessees or those acting for them appear to have had, nor could the Legislature have had, a very clear understanding of the effect of what had been done. Perhaps this is not altogether surprising in view of the manner in which the business was transacted. So far as the lessees are concerned, Mr. North, their counsel, in addressing us on their behalf, said: "Indeed, to be frank, I think they" [*i.e.*, the lessees] "thought they were going to the Valuation of Land Act in its entirety, and