

are killed by the anglers; and we are told that they are killed in the spawning-grounds by the Maoris in very great numbers. And naturally, if the breeding is from poor stock, the stock as a whole must degenerate.

2. *Mr. Isitt.*] Supposing it is admitted that there has been incompetence so far as the administration of the Tourist Department in the past is concerned, do you think that the best results could be obtained by the Government, with an enthusiastic expert working in conjunction with the local men, and with the Government purse at its disposal, or by leaving the control absolutely to the local people? Given that we had a really good enthusiast instead of an incompetent, do you not think that better work could be done by the Government and its purse than by the local men?—I am inclined to think so.

3. *The Chairman.*] Then you would not favour the Department giving control to the local body? Speaking as an angler you think that the fishing would be better under the control of the Department if a good man were got?—Provided there was a great change from the present administration. I do not believe in the present administration.

JOHN CAMPBELL PEACOCK, Solicitor, Wellington, examined. (No. 5.)

1. *The Chairman.*] Proceed, please?—I appear on behalf of the Native owners of the lands in the East and West Taupo covered by this petition. I wish, first of all, to make one or two remarks about the petition itself. It would appear from the petition that there is a Rotorua Acclimatization District, comprising 7,000 square miles, and the prayer of the petition is that "the Rotorua Acclimatization District be constituted a district under an acclimatization society with all the powers vested in such bodies by virtue of the Fisheries Act Animal Protection Act, 1908." Now, there is no such Act, to begin with. There is a Fisheries Act, 1908, and there is an Animals Protection Act, 1908. Under the Animals Protection Act, 1908, there is power for the constitution of acclimatization societies, and it is provided that where acclimatization societies have been constituted the property in the game and birds should be vested in such society, but that in the case where the district is under the control of the Tourist Department the property in the birds and the game should be under the control of that Department. Then we come to the Fisheries Act. There is no mention made in the Fisheries Act of the acclimatization society at all, except the power in the Fisheries Act for land to be acquired for the purpose of hatcheries and for the control of those hatcheries to be vested in an acclimatization society. The Animals Protection Act deals only with game and birds, and in the Fisheries Act there is no power for the control of fish or anything to be handed over to any acclimatization society at all. Therefore I say that what is asked by the petitioners is impossible at the present time, and could only be given effect to by fresh legislation. I submit, therefore, that this petition could not be entertained. The Maoris whom I represent are the owners of practically the whole of the land of East and West Taupo surrounding Lake Taupo, and comprising a very large area indeed, and, of course, they would be naturally affected by any change which might be made in the present control of the fish, and also of game, because their lands are the lands which would largely be shot over, and from their lands the fishing would take place. I am instructed that at the present time the relationship between the Natives and the Tourist Department is of the very best, and I am here to-day to object on their behalf to any change of control, which in the opinion of the Natives would possibly lead to friction between any local society and the Natives themselves. It is evident that there has been incompetence in the manner in which the fish have been treated, but I would submit that, in view of the fact that an expert is being obtained, and after the representations that have now been made that could be quite easily cured.

2. *Mr. Dickson.*] What is the relationship between the Maoris and this supposed society—the people there?—There is no existing society. The society would no doubt be comprised mostly of local residents, and you can quite imagine that as the Maoris own nearly all the land round the lake—and the question is being litigated as to whether the lakes themselves do not belong to the Natives—friction might arise. At present there is a perfectly good feeling between the Department and the Natives.

3. *Mr. Payne.*] Under the Treaty of Waitangi are not the fishing rights of Natives at Taupo fully conserved?—I presume that they would be under the Treaty of Waitangi. That is so, no doubt. At the present time the Natives are perfectly satisfied with what is being done, and are quite willing to assist the Government in the way of permitting—and they have permitted—all these oversea visitors to fish from their lands. All these camps are erected on the lands of the Natives. The owners of the tents get rent for them, but the Natives never get a rent at all. They are quite satisfied to let the present state of things continue. They are afraid there would be difficulty and friction if local control were granted, arising out of access to the lands.

4. If this society came into being the Natives would have a perfect right to bar visitors from their lands?—I am not prepared to answer that question. It would depend upon what power was given by legislation. There is no power for such a society to be formed at the present time.

5. They could not at present debar these tourists from going on their land?—They do not do it, at all events.

6. They are prepared to do as they are doing now so long as they are left alone?—Yes.

7. But if they are interfered with they may assert their legal rights?—They may do that.

8. *Mr. Escott.*] Have you any proof to put before us that you are acting for the Natives?—The leading member of the tribe is outside in the passage now.