

generally within the sub-tribal boundaries; but the question as to the extent owned by the family or sub-family was not defined.

139. Was it a custom among the Maoris in the olden time for every individual, old and young, to assent to or sign the deeds or documents passing titles to land?—Prior to the introduction of the Native Land Court? No, not to sign.

140. Can you state how in the olden times when deeds were signed, and by whom?—I can only speak from information derived from the Maoris.

141. Before the Europeans came, how would land pass?—Meetings of the owners would be held; the chief men and spokesmen would get up and address the assemblage, and express their views. Those who had the right to speak would do so, and the meeting generally went by the voice of the majority. A general opinion was taken, and it was decided that certain things should be done or agreed to. In every hapu and tribe there are head men who are looked up to, who have more knowledge, even if they are not chiefs by birth. They carried out whatever arrangement was agreed to by an interchange of commodities. Such transactions were considered binding.

142. I believe that all the old purchases were carried out in that way?—Yes.

*Mr. Mackay*: There was Mr. Busby's and other cases dealt with in that way.

*Mr. Rees*: We should be bound to show by what process the Native lands were dealt with in the olden time.

*Mr. Carroll*: There was no other way to do it. They had to get the knowledge of the ownership of the land from the Natives themselves. Even then certain rights suffered.

*Mr. Rees*: No doubt they did.

*Mr. Carroll*: That led to the Taranaki war.

143. *Mr. Rees*.] You are cognisant of all the European Acts?—Yes.

144. The first practical Act was in 1865. You have seen gradually the process of legislation that has gradually lifted the dealing from the hapu until it came down to individual dealing. Do you think that has led to confusion?—I think it has. All the expenses of subdivision, grants, deeds, and conveyances have enormously added to the cost, and have acted injuriously to the Natives. They get no benefit from the transactions. The value of the land is absorbed by the expenses incurred, and sometimes the costs amount to more than the value of the land.

145. Has it not also broken through the custom of the Natives in the holding and dealing with their land?—It has, and very often to an injurious extent by unscrupulous persons wanting to get the lion's share. There are individual cases; and it is unfortunately this class of men now, who are able to control dealings with hapus who are not educated up to this way of dealing.

146. Do you think, if a measure were introduced and adopted by the Legislature by which the Crown should deal with the Natives as agent on behalf of the Natives, the Native Committees to have certain powers for laying apart reserves—do you think such a plan could be made workable? Instead of the Native deeds being signed by all the Natives, make the Crown Trustee and the Natives beneficiaries?—I think something of the kind, with the consent and concurrence of the Natives affected by all those questions, would do. I think it would be the very best thing that could be done—the Natives to derive the benefit from their estate. I have heard that certain members have stated that the Natives should be deprived of their land, and that all their estates should be thrown into a state of hotch-potch. That would be wrong. At the present time the Natives are not getting any use from their land.

147. Nor is the Native land of any use to the Europeans?—No. The way the law is it is not advisable for any one to have anything to do with Native land.

148. The country is locked up?—Yes; and no revenue is derived from it.

149. *Mr. Carroll*: Do you think the Natives would give up to Parliament or the Government the control of their land?—That is a very delicate question.

150. Do you think, if the Natives in every block of land had the power to choose reserves, and the Committees to exercise a certain amount of control over the expenditure of the money, that such a scheme would work and tend towards better settlement?—I believe the more that can be done the better.

151. Would you think, Colonel Porter, that the Natives would be likely to consent to a system whereby these lands would be thrown open for lease, after the reserves had been taken out, and that they should get the benefit of the proceeds?—As Mr. Carroll said just now, would the Natives hand over their lands to the Government?—Formerly they believed the Government was everything, but they see now that the Government makes fresh laws. There is no permanency in the dealings. The Governments change. The Natives would not part with the control of their lands.

152. *Mr. Rees*.] I suppose they would part with the partial control?—Yes, so long as they retained a controlling voice; but I feel quite confident that they would resist the Government taking absolute control of their land.

153. That would be confiscation?—Yes; but I believe that the Natives would be only too glad for the Government to step in and give them some help.

154. The Natives would be willing so long as the entire control was not taken out of their hands. The Natives would be inclined to use the Government as the vehicle?—Yes.

155. *Mr. Mackay*.] Would the Natives be disposed to allow the Government to take up land at a fixed rental, based on the prairie value, the Government paying all expenses of subdivision, surveying, and roading, and doing the best they could out of it?—Either course could be adopted.

156. *Mr. Rees*.] Would you say to that, Colonel Porter, that, the principle being established, and the assistance of the Government being invoked, it would be a matter of arrangement between the Natives and the Government as to what extent and how far that assistance went?—Yes. The Natives are quite satisfied that they cannot get enough for their land from the Government.

157. Would you say that the Natives know that these lands may be taxed?—Yes; they are quite alive to that. I have had many conversations with leading chiefs on the subject: with