

wherever the land is settled. It is only the actually lazy Natives who cannot get employment—who do not want employment.

195. That is Mr. Carroll's view: that if you get a number of European farms alongside Native farms a spirit of emulation is aroused?—Yes, that will follow.

196. Then, what is your opinion as to the efficiency and satisfactory nature of the Native Land Court as at present existing?—I do not hesitate in saying that it is very inefficient and unsatisfactory. I do not mean as to the officers, but the Court as at present constituted is eminently inefficient and unsatisfactory.

197. In what respects or in what manner is it unsatisfactory?—Because of the very confused state of the Native Land Acts in the past. Almost in every Court past questions arise which the Court is unable to settle or decide upon. The existing Acts, although they may be supposed to give them full power, do not. There is no uniformity of procedure. The Courts themselves are confused. There should be a Court to deal with all past matters, and a law to deal with the future. The Court should have power to settle all the complications arising out of the past. That, it appears to me, would help to remove a lot of difficulties, and so tend to complete all things outstanding. Now, it is simply perpetuating the confusion. The confusion is becoming greater, and the Courts will never arrive at anything unless there is a total stoppage of the existing state of things, and a total change.

198. *Mr. Carroll.*] When you say that they should settle up all past things, do you mean subdivisions?—I mean everything where a title has been derived from the Native Land Court.

199. It would be principally subdivisions—no new claims?—Yes, subdivisions and everything.

200. That the lands should be subdivided among Maoris and Maoris, and Maoris and Europeans?—Yes.

201. *Mr. Rees.*] I do not apprehend that all the land passed by the Native Land Court should be subdivided among the Natives. I apprehend you mean that all those past applications should be settled?—Yes.

202. And then the new method of entirely dealing on a new basis, making that the “datum” line?—Dealing with the old transactions under some Act, making no new orders under the old Acts but under the new law.

203. Do you consider that the Native lands—some 10,000,000 or 12,000,000 acres—can be dealt with in a satisfactory manner under the existing state of the law?—No, I think it is almost impossible.

204. Do you believe that under such a system as we have been speaking of—a system of agency on the part of the Government, with Maori Boards and Committees—an economical and equitable way of dealing with the Native lands could be devised?—Yes. I think if the Government had a power of that kind it could settle the whole thing, and administer the Native lands to the advantage of both parties; and I believe that is necessary, and that it should be done.

205. Would not that obviate the necessity of subdivision-surveys?—Well, that is one of the most difficult questions. The cost of the surveys is, no doubt, a matter for consideration.

206. Would not that obviate the necessity of individualised surveys?—There would be no necessity for subdivisional surveys of the land.

207. Then, all expenses would be done away with?—Yes; that expense would be done away with.

208. It would make a certainty of title instead of a possibly-disputed title?—Yes; it would make a certainty of title instead of the present uncertainty.

209. Would it not also shut the door against any possible frauds or mistakes?—I believe it would.

210. *Mr. Carroll.*] Going back to what you stated about the past work, would you use the present machinery of the Court, or new machinery?—I believe it could be done by the present machinery of the Native Land Court. That would be a matter of expense and revenue, whether or not it should be done by separate machinery.

211. To do that you would not disturb the present machinery?—No.

212. Under the heading “Past transactions” you mean all such cases as came before Judge Edwards?—Yes. Of course I consider under the present Commission that there are many cases that will come under that head.

213. You are aware that there is a hitch—a clamour by some for more power to be conferred on the Commission. What would your suggestion be?—That would be a matter for the Government to consider: what would be necessary to be done could be either done by the Supreme Court or by extending the powers of the existing Commissioners.

214. Do you think it would be sufficient if the Commission had extended powers?—I think the Commission (Edwards's) will only last for a few months.

215. Are you in favour of the Commission getting more power than it has at the present time in order to settle up these past transactions?—Yes; but that only refers to several classes of cases where documents are in existence—it does not refer to where applications exist as to subdivisions or divisions in the Native Land Court, nor does it refer to applications with regard to deeds where informalities exist. There are two little matters I wish to speak about in reference to the alteration of the mode adopted by the Native Land Court in placing or removing restrictions. The position at the present time is unsatisfactory.

217. *Mr. Rees.*] In what way?—In cases of application by Natives. One or two have appeared before the Court and requested that the land be subjected to restriction. The Court has very often complied upon an *ex parte* statement of some of the owners, but against the desire of a great bulk of the owners. That, I think, should not be allowed except on the personal or written application of the majority of the owners. Before any restriction is imposed the dissentients should have the opportunity of making their objection and applying to have their portion free from restriction.