

522. As a matter of precaution?—Yes.

523. I suppose when the matters were all done in public in that way, and were thoroughly understood, there never was very much difficulty afterwards, no matter who signed the deeds?—They were thoroughly understood, and the chiefs then had a power they have not now. The Native Land Court put in all the rag, tag, and bobtail, and Jack became as good as his master. That is one of the effects of the change.

524. Would you say it is a good or evil effect?—It is very questionable. It has its advantages, but also its disadvantages, it strikes me. You see the Natives became suspicious at the practice of putting in these ten names of *quasi*-trustees in the grant, but with none of the liabilities of trustees; and, as a result, these individuals in many cases made ducks and drakes of the purchase-money.

525. As in Hawke's Bay, for instance?—And in many other places I have seen instances in which the chief has handed over everything perhaps but £1 to the tribe, and left them to divide it amongst themselves. I have seen Moananui, at the Thames, do that.

526. Still, he kept the authority (*mana*) to dispose of it?—Yes.

527. In your opinion, supposing the ten persons whose names were put into the grant under the Act of 1865 had been treated as trustees, and forced to account to the tribe, would it have been more successful?—Yes; but I think all moneys should go into the Public Trust Account.

528. All that were received by way of sale or lease?—Yes; and that they should only emerge therefrom when the trustees had made an arrangement for the equitable division of the moneys amongst the owners. I would give these trustees the right to sell or lease the lands.

529. That is to say, Committees chosen by the Maoris themselves?—Yes; this is part of my own scheme as set forth in the book I have written on the subject. My system would be shortly this: There are three large tribes in the country north of Auckland—the Rarawa, Ngapuhi, and Ngatiwhatua. My idea would be to appoint one or more Commissioners for all that district. Their first duty would be to go on the ground and settle the division of the lands as near as they could between the Rarawa and Ngapuhi. Then of course there often would be disputes, and these would have to be adjusted, and that could generally be done on the principle of give and take. There would not be as much difficulty there with these tribal divisions as in other parts of the colony, as these tribes have never been conquered since they first landed in New Zealand. Having then accomplished so much, the next thing would be to ascertain how many hapus there were, and fix the boundaries for each hapu in the same manner as that followed in fixing the great tribal boundaries. It would then remain for the surveyors to go on with the surveys, and ascertain which were the Crown lands and which the Native lands inside the block. For instance, there might be the case of a hapu having 50,000 acres in its own right. Then say the Natives required 10,000 of these as reserves. If they agreed, the reserves should be grouped in as large blocks as possible, because, when intermingled with the lands of Europeans, they would prove a nuisance to the Europeans, and quarrels would ensue through the pigs of the Maoris trespassing, and the cattle of the Europeans destroying the Maori crops. Let us assume that hapu A has 50,000 acres belonging to it; 10,000 would be set apart as reserves, and the remaining 40,000 clothed with a title, so as to be sold. I would propose to clothe both with the same sort of title. In sections 39, 40, 41, 42, pages 45 and 46, of my pamphlet entitled "Our Dealings with Maori Lands," I provide for the election of seven adult male owners to act as trustees: "In any case where the owners named in the certificate of title to be made for any parcel of 'disposable land' shall exceed seven in number, the Commissioner, at a meeting to be specially convened for that purpose, shall call on the owners (male and female) then present to nominate seven adult male owners from among those to whom any parcel of land has been allotted to act as trustees in respect of the land comprised in such certificate." In each case the hapus would be divided into families; and the head of each family, and all the members of it, would be put in the certificate of title for the reserve land, and would also be put in the certificate of title for the disposable land. They would elect seven adult males to act as trustees, and then these trustees would convene a meeting to ask the Native owners whether they were willing to sell or not. As soon as that is settled in the affirmative the land is surveyed, and under section 47 the purchaser pays his money, handing it over to the Commissioner, and, in the presence of the Commissioner, both parties to the transaction—the purchaser and the trustees—execute the conveyance. On payment of the money the European purchaser at once enters into possession of the land. It does not matter whether the money remains in the Commissioner's Trust Account for five or six years. The title to the land passes, and the purchaser can take immediate possession.

530. The land is made immediately available?—Yes; and the purchaser, whoever he is, gets a title right off. Then arrangements are made for the Commissioner to ascertain from the Natives whether they agree to the amounts to be apportioned among them. For that purpose, the trustees are handed a form, like that given on page 57 of my pamphlet, and they set forth a scheme of subdivision among the families interested—such scheme to be submitted to these families at a meeting convened for the purpose. If they agree they sign their names opposite the amounts set down respectively for them; but, if they do not agree, then the Commissioner shall fix a day for hearing and determining any such dispute between the families. In case of disputes between any of the families the Commissioner apportions the amount among them.

531. You have devoted a considerable amount of time, have you not, to a study of the nature and effect of the different Native-land laws of the colony?—I have. I went through every Act I could find bearing on the subject when I drew up that pamphlet.

532. You have also taken the trouble to frame an Act which you believe would facilitate the equitable disposition of Native lands?—Yes; that I drew out in 1887. I may state that it is an old scheme of mine, and one which I proposed to Sir George Grey shortly after the Native Land Court was established. I was one of the first Judges. I was appointed along with Messrs. Fenton and Rogan. Mr. Fenton and I never agreed as to the system which should be adopted for the disposi-