

be able to say, as they do now, "Oh, we did not see the *Government Gazette*." Constant complaints are made on that score. I may state there has been very considerable dissatisfaction lately—that where formerly there was one rehearing there are now several. In fact, there are constant rehearsings of cases. I am now engaged in four applications for rehearing, and the Chief Judge is making quite as exhaustive an inquiry into the grounds of these applications as if he were going into the matters of title themselves. I said to him the other day, when we were coming up in the steamer, that he was going so exhaustively into the matter that he ought to have brought another Judge with him, and have the rehearing at once. I said, "I thought what you would have done in these cases would be to read the evidence given on both sides, and then ask the Natives about any part of it that was ambiguous, and ask the parties applying for the rehearing if they had any other grounds than those set out in their application." Formerly an application of this sort went to the Government, and not to the Judge.

568. Do you consider that the Native Land Court since its commencement has improved in efficiency in the discharge of its duties?—I do not think it has improved. A great many of the appointments that have been made to it of late years have been of men who knew nothing at all about Native custom, and who could not speak Maori, whereas the original Judges were men who had been engaged in Native-land transactions for the Government, and were well acquainted with the Maori language and customs. I am not reflecting upon anybody in what I now say. I am simply speaking of the practice. Judge Smith himself has admitted that there should be some alterations in these laws, as they are too cumbrous, and lead to a great deal of time being wasted.

569. At the present time dealings between Europeans and the Natives for the purpose of settling Native lands are practically at a standstill?—Yes, for land purchases. I have generally had a good deal of this land work when there was any to be done in Auckland; but I have not done as much during the last four years as I formerly did in six or eight months. I know that in some districts the Natives are very anxious to sell their lands.

570. And in some districts they are anxious to lease?—Yes. I was in the King-country recently for the Government, on some railway-compensation cases, and I there found the Natives complaining of the low price the Government was offering them for the land—not more than 5s. an acre—while there were Europeans willing to give them £2 or £3. In fact, I think we valued some of this railway land as high as £2 per acre.

571. *Mr. Mackay.*] That included good and bad?—Yes. The land there may be grouped into three classes as to value. The lands on the alluvial flats are valuable, partly from their contiguity to the railway, and partly because of their good soil. Then there are the lower ranges, which in that country have generally good soil. Finally, there are the hill-tops, some of which are very broken. In fact, all the land on the West Coast as far as Mokau is a broken, rough country, but is mostly of limestone formation, and would carry good grass. I reckon the best lands, taking them in blocks, to be worth £1 10s. an acre; the better class of hill-land, from 7s. 6d. to 10s. an acre; and the rest, from 2s. 6d. to 5s. an acre.

572. Do you believe, from your knowledge of the Native character and of their present disposition, that if some simple method of dealing such as you have yourself suggested were made law, and were surrounded with safeguards to insure fair dealing, there would be any difficulty in getting the Native land thrown open for sale or lease?—I do not think there would if the Natives saw that their interests were properly looked after.

573. And the expenses brought down to a minimum?—Yes. Of course it would be necessary to make the reserves first. Formerly, under the Native Land Acts, restrictions could be put in the certificate of title. There is no such safeguard now under the Act. The Natives ask for a piece of land to be made inalienable, and it is done. But a few persons may wish to get this restriction taken off, and they manage to get it done. It only requires them to make the application and to state that all are agreed. The application was formerly made to the Governor, but is now made to the Native Land Court. There is no safeguard against fraud, except when the Natives go before the Trust Commissioner. He would ask them if all the parties interested had other lands, and in nine cases out of ten the applicants would lie and say they had lands elsewhere. Many an old Native who has no children will say, "I am sick now; I am going to eat this land, and I am not going to leave it to the rest of the tribe." Of course, it was to provide against this sort of thing that it was tried to impose restrictions. But if reserves were set aside, and the balance of the land clothed with a title, the Natives would dispose of it.

574. Would you be in favour of these Native lands being leased instead of being sold?—No, I do not believe in perpetual leases. I believe that people coming to New Zealand look to getting the freehold of lands.

575. Is not the perpetual-lease system of the Government at the present time the most favourite method of taking up land?—Yes. Would you allow reserves to be dealt with?—I would have no trustees for the reserves, and I would not allow them to be sold or disposed of in any way.

576. *Mr. Rees.*] These should be made absolutely inalienable?—Yes. As for dealing with the rest it might be done in this way: The purchase-money might be funded if the Natives desired to have it so, and that would give them an income.

577. You think it would be a better plan to give them perpetual incomes in this way than to allow them to have the substance of the purchase-money and squander it at once?—Yes; section 57, page 49, of my pamphlet deals with that point.

578. Do you think that under the old system of tribal dealings, a return to which, assured by modern safeguards, you are attempting to provide for in this pamphlet, any of these complications and offences—and crimes in some instances, perjury, forgery and so on—could have arisen, or that such immense expense would have been incurred as has been the case under the existing system?—I certainly think they would not have arisen. We should not have had such roguery. Another thing that I may remark is, that the first Native Land Acts educated the Natives to be dishonest.