

Government had not a shilling with which to buy land, and they were going to waive their pre-emptive rights. The only difference I had with the Natives about this part of the country was that the Government would not allow them at that time to sell to private individuals, who would pay them a very much higher price for their land than the Government were willing to give. They complained that I was only paying them 6d. an acre. I purchased one block at that price. They said to me, "Why don't you tell the Government to pay a higher price?" I replied, "I am only acting for the Government, and have simply to carry out my instructions. But you should recollect that I, on the part of the Government, buy from you all land, the good as well as the bad, and that this 6d. an acre is paid for those sandhills which are being blown away, as well as for the good land. The private purchasers would not do that. Where we extinguish the Native title we buy the good land as well as the bad." They replied, "We will keep the sandhills if you will allow us to sell to any man we like." The Natives throughout the country at the present time will be very discontented if the Government resume the pre-emptive right, and thus shut out all competition.

815. *Mr. Mackay.*] Would it cause them to be very disinclined to part with their lands?—I think it would; that is what I mean: they would be discontented, and unwilling to part with their lands to the Government.

816. *Mr. Rees.*] That is the state of things in the King-country?—Yes.

817. But if the Government were to act as agents for the Natives—if this Board of which we have been speaking were to act, deducting some of the proceeds by way of commission, do you think the Natives would assent to that, the Natives being represented on the Board through their chiefs?—Yes; I think they would fall in with that, the Board working in concert with the Natives of the different blocks, and ascertaining how much they would sell or lease outside of their own reserves. I think that would be workable.

818. Do you think that they would object to the Government charging a species of commission?—I do not think that they would be unreasonable. It could be said to them, "Here is the Government acting as your agents in this matter. You cannot do it yourselves, and the Government cannot do it for nothing. It is enhancing the value of your own estate, and you should pay for it."

819. You think that they would look at it in that way?—Yes. By doing what has been suggested the Government would be enhancing the value of the Native estate, and the Natives, I think, would be willing to pay for the advantages they gained.

820. Do you think that the Native Committees and the Native runanga could be utilised for doing a portion of the subdivisions into hapus—defining the tribal and hapu boundaries?—I think so. My opinion is that many of these boundaries could be described in this way in a very short time. Suppose there is a block of land of which the exterior boundaries are correctly surveyed, and there are four or five internal divisions in the block. The various points are all fixed and determined. After the case is called before the Court and the Natives are there, the Judge finds eight or ten of the principal people come forward as witnesses, and their evidence is taken down. They commence by describing that the particular land in question belongs to some particular tribe. After some time the Judge ascertains the boundaries, as well as he can by the evidence given. From the statements of these witnesses he gets an approximate idea of this boundary, and then he goes on to deal with the other boundary in the same manner, and so on with all the rest. You have seven or eight respectable people who know the land perfectly well. They give the necessary information, and you find, by paying careful attention to the Native names and writing them down, that afterwards the surveyor will be able to go out upon the land and make an accurate survey. The surveys, approximately speaking, are perfectly fixed; but you may go on with the survey of this land in such a way that in a small place the cost of the survey would absorb the value of the estate. Formerly, on the East Coast, surveys were sketch-surveys, for the Government had not the money to pay for complete ones. They adopted the natural features of the country, the mountains or rivers.

821. Supposing the Natives have chosen their reserves out of this block, and the Land Board were to cut up areas for settlement without making any surveys, the Court could fix what the respective interests of the parties were in the proceeds?—They could.

822. And no survey is wanted for that?—No.

823. There is a great saving in that, is there not?—Yes, a vast saving. Instead of proceeding with about a hundred and fifty claims to this land, the Judge takes any number of people who come forward. Here is the chief. He gives the history of his hapu. This man gives a similar account of his hapu, and so on. Instead of taking the evidence of fifteen, twenty, or thirty Natives upon the same matter, take merely the statements of some of the leading individuals. To my mind the taking of so much evidence is only a waste of time.

824. And of money?—Yes. And if there is a dispute these seven or eight representative men will settle it, and thus save the Judge very much trouble, and these matters would be very much better settled than they are now.

825. *Mr. Mackay.*] They would clear the way for the Court to give a proper decision?—Yes.

826. *Mr. Rees.*] In your day the Court did not want £1 a day from every man paid down on the nail before going on with his case?—No. One of the difficulties I had as Judge of the Native Land Court occurred when notice was sent to Gisborne by an opposing party of Natives for the Natives to leave my Court. I had to try to induce the Natives to come into Court.

827. I suppose you would say this, after full consideration: the laws and the procedure must be changed if anything satisfactory is to be done?—Yes, I think so.

828. I mean, no mere amendment of a clause here and there, but an entirely different system?—Yes. It will only make matters worse if you continue to tinker with the laws. What is wanted is to simplify them as much as possible, so that the Natives will have no difficulty in understanding them. At present they are confused by so many laws.