

1148. Things are now in such a state of confusion that the Gordian knot must be cut somehow?—Yes.

1149. Do you think that, as regards future dealings with the land, these, supposing the Natives would consent, should be tribal and public dealings by regulation, and associated with a Government Commissioner?—I think the Natives should have the opportunity of saying whether they were going to deal with their land as a tribe. Some of the Natives would not do so. You would not find Wahanui, for instance, putting his land into a tribal block. The Hettits, the Hugheses, the Ormsbys and the Edwardses, would not either. They will say, "Give us our lands; we will deal with them ourselves."

1150. That is only individuals, and does not affect the bulk of the Natives?—No; but those who have largest interest will claim to manage their own property. It is those Natives who have but little would like to make a general pool, hoping thereby to get a larger share. Of course, in the case of any valuable land near the sites of towns or villages, where the Natives can get the advantage of education for their children, and where they well able to deal individually, as at places like Gisborne and Napier, where the Natives are capable and have arrived at a determination of their interests, they might be allowed to deal individually. These would be exceptional cases. In those instances the Natives would insist upon retaining the control.

1151. *Mr Rees.*] Apart from that, do you think the Natives would reap greater benefits if they were formed into corporate bodies in that way, and had skilled assistance to enable them to deal efficaciously and economically with the land in their own interest?—Of course, you have to decide upon the individual shares, and I think that if the land were subdivided it would lead to the Natives getting much fairer prices. They would not be compelled to sell the greater portion, as in nearly every case that goes through the Court now, merely to pay the incidental expenses. They could conserve their land, and, after the turmoil of the Court was over, they could look over the land and see whether they would lease or sell a portion. They prefer leasing now, and a great many of the evils that are now attendant upon Native-land dealings would thus be swept away. I do not believe altogether in nursing the Natives. I think that if left to themselves they would be more self-reliant. The flour-and-sugar policy of Sir Donald McLean ruined them. Away up North, amongst the Ngapuhi, they are more self-reliant and manly, because you will find there that they have no Government interference or help. They are now breeding sheep and cattle, taking contracts, leasing land here and selling it there, buying farming-implements for themselves, and setting to work and building houses, and that would be the case too in the Waikato under similar conditions; but if once you take the management of a Native's land out his hands he becomes a beggar, and he is continually trying to get an advance of money under some pretext or the other—that his daughter is going to be married or die, or that his grandfather is dead, &c.

1152. You would steer a medium route between the two courses—between anything like treating them as children and the other extreme of cutting out each individual's portion and making him stand by himself?—You could not cut them out. It would be impossible in many cases to fairly individualise the land. I would give them such reserves that even if a Native parted with his own land he could never become a pauper; these reserves to be absolutely inalienable, and, of course, free from all taxes.

1153. Reserves which would be for their own occupation?—Yes. Having in the first place found how many Natives owned a large block of land, let the Commissioner say, "I will cut out so many acres for your occupation," and then afterwards, if they cannot occupy all the reserve, a part of it could be leased also for their benefit, but never parted with as long as a Maori lived.

1154. They could then never become a landless people. Of course you see that there is a certain risk in every sort of reserve for perpetual occupation?—Yes. It could not be encumbered, because eventually the land would come into the hands of the Government, for the Natives are gradually dying out.

1155. *Mr. Mackay.*] The Government would become the owner after the Natives had disappeared?—By escheat it would be; and I would let the Natives deal with their other land as they like. You will never satisfy the Natives unless you do.

1156. *Mr. Rees.*] Is there anything else which you would like to mention to the Commissioners? Is there, in your opinion, anything else in the way of legislation that, in the public interest, or in the interest of either Natives or Europeans, would be beneficial?—In the interest of the Natives I consider this tax of 10 per cent., in the form of stamp duty, is iniquitous. For instance, if you make a lease for twenty-one years you have to pay one-tenth of the twenty-one years' rent right down. If it is not paid in three months the charge is at the rate of 100 per cent.

1157. *Mr. Mackay.*] That is in respect of a transaction between a private Native and a private European?—Yes.

1158. The stamp duty is charged on the capitalised rent?—Yes. If the lease is to run for sixty years, then you have to pay one-tenth of sixty years' rent. It is more than the value of the land in some instances.

1159. That is a *pro forma* case. There are very few Native leases for sixty years?—I know some of thirty years.

1160. *Mr. Rees.* : I know some of forty; I do not know any of sixty.

1161. *Mr. Mackay.*] That must be where they have unconditional Crown grants?—Yes. Of course I do not think you could have the deeds executed in a different way from that in which they are executed; but the Government ought to be very careful in the class of interpreters. You must have a deed signed in the presence of the interpreter and a Justice of the Peace or some Government official—that is to say, a Postmaster, or a Resident Magistrate, or the Clerk of a Resident Magistrate's Court. And I think the Native Frauds Prevention Act is a perfect farce. In very few cases here has the Frauds Commissioner been even asked to hold an inquiry. You have an