

transaction being completed before some proper person, so as to thoroughly insure that the Natives know what they are parting with, and that they are being paid in cash, there ought not to be any restriction on the sale of land over and above what is required for the support of the seller and his family. For instance, instead of any Justice of the Peace being sufficient for witnessing the transaction, it should be provided that a Resident Magistrate should do so, and that he should satisfy himself in the first place that it was a *bond fide* transaction; secondly, that the cash to be paid was not grossly disproportionate to the value of the land under sale; and, thirdly, that the price was actually paid in hard cash. Then, subject to the deed being properly explained and interpreted, I think these precautions should be sufficient, and that the mere certificate of the Resident Magistrate should be sufficient to validate the transaction. It might seem, perhaps, somewhat contradictory that I should be in favour of such an easy mode of transfer of land, but my experience has taught me that the heaping up of obstacles in the way of the transfer of land does not prevent it from being transferred. It only serves to lessen, very often to an enormous extent, the money paid to the Native for his land. It merely reduces the price to be paid—in fact, it lessens the price offered by the European; so that, instead of being a protection to the Native it lessens the value of his land, because he receives so much less than it is worth. I shall be happy to answer any questions that may be put to me, and I must apologise for going into these matters at such length.

1284A. *Mr. Carroll.*] In such cases as the Native owner had had his interest in the land individualised you would allow him to deal with it, but you would not allow him to sell his interest where he held in common with others?—Certainly not; in no case. That would have the effect of introducing a foreign element into the holding of the land, and would certainly produce evil results.

1285. The first step would be the definition of interests; you only recommend that?—Yes.

1285A. But where the quality and size and general circumstances of the land would permit of it you would allow the Natives to deal?—I should like to see that, too, because otherwise without individualisation it would be really impossible to encourage, as we must encourage, the selling by a Native of his surplus land which he cannot himself cultivate.

1286. *Mr. Rees.*] In respect of other cases, as in Hawke's Bay, where the Natives have large blocks of rough country, far away from the towns, supposing that a Committee or a Board were appointed by the Natives to act in conjunction with a Commissioner of the Government, who would tell them how to deal with their lands usefully, the Commissioner to give titles and the Committee being appointed by the Natives, do you think that such a plan would work well?—I think that such a plan would be very desirable; but after hearing the arguments of those for and against this course, when "The Native Land Administration Act, 1886," was under discussion in Parliament, and also after witnessing the known results of that Act, I do not feel very sanguine of its success.

1287. That Act was weak in two things: First of all, it took all the control in Native land and vested everything in special Boards in which the Natives had no representation at all; secondly, it was merely optional with the Natives, and it was not likely to bring their lands optionally under the administration of a Board to which they did not send a representative. But supposing the law were made paramount and imperative that either the principal Natives, or else a special and co-operative dealing by the proprietors of the land, when it was found possible, should work along with the Government Commissioner, he being responsible for the due distribution of the moneys?—If possible, in each such case the owners should be consulted as to who should represent them. If they cordially co-operated I think it would be very successful.

1288. And in other cases individualisation should take place?—Yes.

1289. And in the former case there should be power to appoint a special Committee for each block?—Yes; because in order that such a method should be successful the Native owners must be thoroughly well satisfied with the Committee appointed.

1290. Then you would restrict individual dealings to land that was individualised. Then, as to lands that are not capable of being individualised you would say there must be corporate dealings, with a Committee of the people and an officer of the Government? Do you think that that would be a fair mode of dealing, that it would lead to fair prices and to a good title being obtained at moderate expense?—I do. I think it would tend to prevent land being bought by private persons in large blocks; but I consider that the ordinary small holdings are more desirable in the interests of the settler and buyer, as well as in the interest of the colony at large.

1291. *Mr. Mackay.*] You would prevent all dealings between individuals except where the interests were individualised, or where they were sanctioned by this tribunal?—Yes.

1292. *Mr. Carroll.*] There are blocks of Native land of considerable area in which there are vast numbers of owners, as for instance, two hundred and three hundred, and some with as many as nine hundred, in respect of which it would be practically impossible for any lease of that land to be accomplished under the present system, which requires you to get the signature of every person in the block—men, women, and children—and you are aware of the disabilities in the way? In a case of that kind, it is your opinion that if they can reduce the executive power of making leases of the lands to a few appointed by themselves from those owners, it would serve their own interests and the interests of the people who dealt with them?—Yes; but there must be some machinery to protect the body of the Natives, too, and to insure that those few who are selected to conduct transactions shall perform their trusts properly. There must be some Government machinery, so that those who receive the money will be obliged to faithfully distribute it. We know that, as a rule, the leading Natives will not do justice to the unimportant members of the tribe.

1293. It would be unwise to give the Committee the power of receiving money; but a State guarantee should be provided, by a person being appointed by the Government to see that each owner got his share of the proceeds?—Exactly. I think that should be the course adopted.