

1393. *Mr. Mackay* : Has Hone Pihama's will ever been found ?

1394. *Mr. Rennell* : No. It disappeared after his death, and has not been found. It looks as if they had destroyed it.

1395. *Mr. Rees*.] You have had considerable experience, Major Brown, among the Maoris?—Yes.

1396. Do you think that in cases where there are large numbers of owners, and large blocks of Native land, it would be a wise thing—when the owners are ascertained and their names entered—that they should appoint their chiefs, or a Committee, or a Board to act with a Government Commissioner, for the purposes of dealing with their lands, cutting out proper reserves, and cutting up the surplus land in order to be leased for the benefit of the owners, the chiefs or the Committee being professedly agents for the real owners, and the Government officer being appointed to see that there is a due distribution of the proceeds?—That would bring about much the same state of things, I fancy, as we had before the Native Land Court came into existence.

1397. In what way?—*Mr. Parris* was the Government Commissioner here, and he used to deal with the Native lands and purchase them—dealing only with the chiefs and leading men—and he never had any difficulty with a block over which he extinguished the title.

1398. Was there any dispute about the title afterwards?—I never heard of any.

1399. Was there any dispute among the Natives themselves as to the distribution of the money, or did they take the distribution as made by themselves?—There are always little difficulties, but nothing worth notice.

1400. In the main, the thing was successfully done?—Yes.

1401. Now, if we can reduce it to a scientific matter of business—that is to say, ascertain the whole of the owners first, and then let the owners choose those of their number who shall act with a Government Commissioner, and see that the moneys are properly distributed, do you think that this would be a safe and proper plan?—I think so.

1402. Would this plan of working with the whole of the Natives through their chosen Committee and a Government Commissioner, and getting the deeds signed by a few Natives on behalf of all who are interested, be economical?—Yes; and I presume that it would do away with the Native Land Court.

1403. No doubt, to a certain extent.

1404. *Mr. Mackay* : It would lessen the labour of the Native Land Court. With regard to determining the arrangement of titles to lands, they would have to be confirmed by the Native Land Court, or by some Court. All the preliminary work of clearing up the title—first, having the boundaries fixed, and then determining who were the beneficiaries entitled to the land, would be accomplished outside by the Committee and Commissioner, leaving to the Court the duty of confirming the title, and thus lessening the incidental expense to those concerned.

1405. *Mr. Rees*.] Perhaps this would be another aspect of it : the Natives themselves should be asked in their runangas to define their tribal boundaries; and then, when this had been done, asked also to define the hapu boundaries, as between different hapus of the same tribe, all this to be done at their public meetings. If they succeeded in doing that without dispute—that is to say, the owners themselves, aided by a Government Commissioner or a Board—it would do away with the necessity for prolonged fighting in the Court about these same things. All this being done, they could then take the matter into the Court as ascertained, and register it in the Court that a certain tribe, comprising certain Natives, were the owners of a certain block. Would not that suit the purpose?—Yes. I think so. I proceeded much upon that plan myself when I was Civil Commissioner, and distributed compensation. I used to say, “I will give you compensation in such-and-such a block.” At first they jibbed, and said they would not take this, or the other. I replied then, “The Government give it merely as an act of grace. Those who are willing to accept it will get it. Those who will not take it must just go without.” It is not, perhaps, an exactly parallel case. The money was then divided, and there was no heartburning or trouble over it.

1406. Did you find any serious difficulty in ascertaining those who were entitled?—No.

1407. Do you think there would be much difficulty in ascertaining by the method I have suggested?—No. I might mention a case that occurred once at Hawera. *Mr. William Bayly* was negotiating for some land there. I said to him, “The Natives, including some who have no right there, have given a lease of that reserve, and I advise you not to have anything to do with it.” However, he bought the lease, and, having got into trouble over it, he came to me to get him out of it. Some of them had not signed the lease, whose signatures were necessary. I offered a solution of it, and talked it over with Hone Pihama, my suggestion being that those who had signed the lease who ought not should give corresponding land to those interested who had not signed. They accepted and acted upon it. I always found them to be reasonable.

1408. I take it, from what you have now said, your opinion is that where the Natives were approached in their own interest, with the view of reasonable dealing with their land, by leasing especially, over and above that which they require for their own sustenance, there would not be much practical difficulty?—I do not think there would. But at the same time my opinion is not worth much, because my knowledge is limited to the land situated in this province.

1409. That does not matter. I am relying on your knowledge of the Native character.

1410. I suppose, with regard to other Natives, just as with those settled in this province, you are of opinion that there would not be much difficulty?—Yes; and I base my opinion upon my long experience of the Natives, extending since 1844.

1411. You have said that before the Native Land Acts were passed, all the dealings with Native land were dealings with the chiefs on behalf of their people, and that those Acts brought in all these individual dealings as against the former collective dealings?—I think so. I remember thinking at the time it was part of a system to lower the position of the chiefs.

1412. That is to say, when the Native Acts were brought into operation?—Yes. It seemed to me that their operation tended to diminish the dignity and power of the chiefs; and I thought