

the completion of the transaction is delayed indefinitely. I think that where these informalities exist every facility should be given to complete the transaction if it is otherwise *bonâ fide*. There is another class of cases, of which I consider notice should be taken, because they are becoming rather frequent in this district—that is to say, cases in which Europeans have entered into agreements more or less formal, mostly for the purchase, but sometimes for the leasing, of land from Natives, where deposits have been paid, and after that the matter has been hung up. These often form great difficulties in locking up the land from dealing, as, in addition to other difficulties, no purchaser cares to face the prospect of possible litigation with another European. This sort of dealing, therefore, should be rendered either absolutely invalid, or some definite provision should be made for its certified recognition by way of provisional registration, with such limitation as may be necessary. Some cognisance, at any rate, should be taken of this habit, which is springing up, and which is hurtful to both Natives and Europeans in dealing with the land. With regard to reference No. 4—viz., the principles on which interests in Native lands should in future be alienated or disposed of by or on behalf of the Native owners, and the manner, terms, and conditions in which the same can be carried into effect—of course it is a question which to a certain extent involves what might be called a system of political economy or Maori policy. I do not know that I need go into that. As time passes on the view will be recognised that Maori land should all be held under a similar tenure to that under which European land is held; and I think, myself, that every encouragement should be given for the individualisation of the Native title, and for having the land brought under the provisions of the Land Transfer Act. There must be a transition period, and during that period every reasonable facility should be offered for dealing with the land, having in view the idea that it will eventually become individualised and become capable of being dealt with as ordinary land under the Land Transfer Act. With regard to restrictions on alienation, I should be disposed to think that restrictions in the way in which they have been previously imposed might be dispensed with, and that the protection of the Native owners would be sufficiently assured if the Trust Commissioner, or whatever officer represented him in the future, were to be instructed to ascertain very carefully that there was no fraud in connection with the transaction, and that the Native who was dealing did not pauperise himself by leaving himself without land or adequate means of support. That, I believe, would be sufficient protection. Practically speaking, the restrictions against alienation which are inserted in grants from time to time are constantly dispensed with after going through the recognised process required by the Act.

1441. *Mr. Mackay*.] You are in favour, then, of a removal of the restrictions?—Exactly; and my own idea is that it is daily becoming less important that these restrictions should be put in the title. To guard against the Native vendors becoming pauperised, there should be a strict examination to make it absolutely certain that they had sufficient land or means of support elsewhere. I do not myself at all believe in too much interference between the Native and the European in these matters, and I believe that it would be better that the Native should be allowed to make his own terms with the European. I do not believe in the interposition of departmental officers, who would sell or lease the land for the Native. I think that there are serious objections to that class of treatment. As far as I can see, the Native has a far stronger personal attachment to his land than has the European, and that is especially shown in the case of leases. The individuality and character of the person to whom the Maori gives up the temporary occupation of his land is a matter of as much consideration to him as is the price which he is to get; and where he reserves to himself sufficient land for his own occupation, his chief desire is to make sure that the neighbour, so to speak, to whom he is intrusting his land is one whom he approves of. I mention that because there is a certain amount of Native land up the Coast under lease from the Public Trustee in different ways; but as far as my own experience goes I should not be inclined to extend this provision in a general way, and thus take away the personal active interest of the Native owner in his land. I think that to do so on a large scale would practically lead to a surrender by the Native owner of his land, and would be giving him merely a lien charged on the lands of the colony. Of course, that is a matter of opinion, but it is my idea.

1442. If the Natives owning a large block of land—comprising, say, 20,000 or 30,000 acres—wish to dispose of it by lease, and if they appoint a person from each hapu of the tribe that is interested to deal in respect of it along with a Government officer, who would see that the whole transaction was carried out in a businesslike manner, do you not think that that would be a peaceful and satisfactory way of arranging these matters?—I think, myself, it would be much better not to lease a block of 20,000 acres.

1443. I mean that the block would be cut up into sections, and then leased?—I think it would be better to individualise the title.

1444. The Native owners would have their shares individualised, but no actual piece of land cut out for each individual?—You mean, to individualise the value of their shares?

1445. I would ascertain and fix the number of shares each should have. That would form the basis of the amount each beneficiary would receive?—I see no objection to enabling powers of that kind, leaving it optional with the Natives to take advantage of them if they chose to do so; but I think it should be left to their option to avail themselves or not of such machinery.

1446. There is another question agitating the minds of Europeans just now with respect to Native land, and that is the question of making it amenable to taxation. If the Natives do not lease or sell their lands there is no way at present of levying rates or taxes on them?—No doubt. Of course I am aware that hitherto this has been done, but only by making a charge against the land which should remain in abeyance until the land was sold. That course would probably have the effect of bringing such land more rapidly into the market for sale or lease.

1447. One thing would have to be safeguarded in these transactions, and that is the distribution of the proceeds of the land according to the shares each Native has in his tribal land; and