

that would have to be seen to by the Government officer. Of course, this officer would work in conjunction with the Native Committee in attending to this matter?—You would have the rent paid not to the Committee, but to the Government officer?

1448. Yes, and he would distribute it among the beneficiaries?—I think that would be of very great benefit. I can quite see that in some cases it might be beneficial to do that, and where the Natives especially personally wished it to be done, and I can see no objection to it under such circumstances; but I am against any compulsion in such a system. If such machinery as you have described were provided, and if the Natives chose voluntarily to make use of it, well and good; but I should not like to see it in any way forced upon them. I do not know that there is anything else that I have noted down.

1449. *Mr. Carroll.*] One of the chief difficulties in relation to the passage of Native land from the Native to the European lessee or purchaser is the fact that there are so many owners in a block of land. Is not that so?—No doubt.

1450. It means the expenditure of considerable time and money before the European purchaser or lessee can obtain the signatures of all the owners of such a block?—That is so, no doubt; especially when, as frequently happens, some of them are minors, and therefore incapacitated.

1451. If some system were adopted whereby the carrying-out of transactions in relation to these blocks was limited to a few of the owners, acting as a committee in the general interest, would it not facilitate such dealings?—It would certainly facilitate them, but as to how far it would give satisfaction in its working I do not know.

1452. It would do away with a lot of expense?—Yes. The only risk, to my mind, is as to how far the general body would be satisfied with it.

1453. Of course the general body would have to select a Committee from among themselves as an acting power?—I suppose they would have some mode of selection. I have seen a good many cases where there has been a good deal of dissatisfaction afterwards. I presume, however, from what Mr. Mackay has said, that some provision would be made for seeing that the rents came into the individual owners' hands afterwards?

1454. I would not make the Committee the receivers of the rent?—Very often that is the trouble.

1455. After all the conditions had been settled, and the terms were arranged, and the Natives were quite satisfied with them, it would then remain for them to select a Committee to act with the Government officer in completing the transaction?—It would practically mean that the Committee would have power of attorney. No doubt it would facilitate matters if an arrangement of that sort could be made.

1456. At present the European, in negotiating for a block of land, considers all these difficulties, and takes them also into consideration in determining the price he is prepared to give?—No doubt the difficulties which the European has to face and overcome in obtaining a good title to the land have the effect of lessening the value of the land to the Native owner; and, although the price paid to the Native is, in consequence, much less than he otherwise would get, I do not believe that the European obtains it at all more cheaply on that account. I am quite sure that Europeans would give and Natives would receive for land a considerably higher price if there were less trouble and less risk in securing a good title.

1457. I suppose you are aware that many transactions in respect to land in this place have extended over quite a number of years, and that some of them are in suspension still?—I believe that some of them which are in suspension have been going on for a considerable time.

1458. On account of the signatures of all the owners not being obtainable?—Yes. A great many transactions were abandoned after a time because those who were negotiating were not able to complete them. I do not know that there have been very many in active negotiation for many years past, because people generally have given them up, rather preferring to let them fall through than take any further trouble.

1459. *Mr. Mackay.*] Have you had any experience in taking cases to the Native Land Court, where the titles have been settled?—We have done a good deal in our office in that way, but that branch of the business is now conducted by my partner, Mr. Marshall. He is present, and would be able to give you more information on that head than I could furnish.

Mr. GIFFORD MARSHALL examined.

1460. *Mr. Mackay.*] We should be glad to have any information that Mr. Marshall is prepared to give.

1461. *Mr. Marshall.*] Do you mean with respect to the original investigation of the title to Native land?

1462. *Mr. Mackay.*] Yes?—I have had a fair amount of experience, but I do not know that I can suggest much in the way of amendment. You wish to ascertain, I presume, what amendments of the procedure of the Court would be desirable?

1463. Yes. Now, if the Native owners of a large tribal block elected a Committee—one man, say, being chosen by each hapu—and this Committee were assigned the duty of settling the tribal boundaries as well as the subdivisional boundaries for the various hapus of the tribe, all this being done with the assistance of a Government officer, would it not facilitate the proceedings in the Native Land Court in the way of determining the titles?—Yes; I think it would very materially assist—for this reason: When the matter is left to the Natives as a body they frequently fail to have proper plans prepared, and the boundaries are always in dispute between them. These disputes occur not merely among the various hapus which are interested in the one block, but also among the several members of particular hapus. They are not satisfied with having a manager for each side, but each hapu appoints its own manager or managers, and thus the proceedings take up a vast amount of the time of the Court, besides leading to very considerable trouble. In fact, it