

respect of Maori lands are the capitalists, who can afford to run some risk and manage to make it up in the form of speculation.

2192. Is that owing to the difficulty and complexity of the law?—It is owing, in my opinion, to the whole way in which Maori lands are treated. I might explain what has come before me, as showing how the thing goes. I find that in many cases something like this happens: A hapu or section of Maoris say that they are entitled to a certain piece of land. Some speculators or others, perhaps intending settlers, go to these Natives and make a bargain with them that if they succeed in getting their land they will sell it to them. Then these people often assist the Natives with money, and sometimes even they have assisted them by employing agents, interpreters, or lawyers to help them prove their title in the Court.

2193. Before they proved their title with the Court in the first instance?—Yes, in many cases. The cost to the Maoris connected with the ascertainment of the title in the Court is, to my mind, enormous and disgraceful. I had this fact brought very forcibly under my notice a month or two ago in connection with the Awarua Block, which is now being investigated at Marton. Some of the Natives who were interested in that block, and one of the agents, told me the cost, and it was simply, to my mind, a disgrace to our laws that such a thing should be possible. One case that I know of in the Waikato well illustrates what frequently happens in connection with these dealings. There the Natives obtained advances from certain people on the faith of their land, and before they got a title to the land they required further advances, the consequence being that they had to dispose of a second block in order to find the means of proving their title to the first block. This means that the Natives will be bound in honour to sell their land to these speculators, or, it may be, intending settlers, and in this way only those who are possessed of capital, and who choose to risk their money for the chance of succeeding in their negotiations, are able to buy Native lands. That is one thing that is radically wrong. A second thing that is wrong is that, even when the title has been ascertained, you have to get the large number of Natives who are interested in the block, perhaps, to consent to the sale. It would cost an enormous sum of money to get the land individualised in these cases, and some of the Natives object to the titles being individualised, and, if individualised, it might be split up into such small sections that, if not first-class land, it would be difficult to deal with it. Well, perhaps a large block is individualised to a certain extent—that is to say, into areas, each of them belonging to a large number of Natives, who hold it as tenants in common. Here, again, one can only deal with more than considerable difficulty, and even then the man who does so runs considerable risk, because he must get all the Natives interested to sign. If that is not done he must go to the Native Land Court, and apply for subdivision. As the lots of the Natives partitioned off are not uniform in size he may run the risk of losing his money, and, at all events, it puts the other Natives to very great legal expense in order to have a big contest before the Native Land Court. These costs that the Natives are put to in getting their titles individualised run away in some instances with fully half the value of the land, and sometimes even more than that. This, I consider, is a great disgrace to us. Another thing that came before me is the way which the Native Land Courts have of dealing (I am not making the slightest charge against the Judges, my remarks being directed against the system) with Native titles that, after all, it becomes a mere haphazard arrangement, and great wrongs are done the Maoris in consequence. I feel this so strongly that, perhaps as you are aware, when I was last in office Mr. Ballance introduced, in 1885 and 1886, a Bill to Parliament which made all alienations take place as from the Government, and all these transactions to come before the Auditor-General. In my opinion that was the only safe way of getting justice for the Natives and at the same time making all the people in the colony to stand on a level in the acquisition of Native land. So essentially different is our modern civilisation from the usages and customs to which the Maoris have been addicted that I am convinced that unless we adopt some uniform method of administering their lands for them by means of a Board or Commission, or in some other such way, it will be quite hopeless to get justice done the Natives. I think, moreover, that in the interest of both Natives and Europeans the present system ought to be entirely altered. There ought to be some simple way of getting all these titles perfected. Taking a large tract of land, I think the first thing is either to allocate that to the different tribes or to different hapus. When this is done, then the hapus amongst themselves can get it still further divided. If they cannot accomplish that by agreement then it would be within the right of any one of them to apply to some Court to settle their disputes. If they wished to alienate it ought to be done through a Government officer, and on certain conditions, and it should be strictly seen to that the moneys accruing to them from the transaction were not wasted or destroyed. It should also be seen to with equal care that the Natives had ample reserves for their maintenance, and, as I said before, that the money was not wasted. The Government should either give it to them in the form of annuities, or else see that it is not dissipated in drink, gambling, or in debauchery, as in some instances is the case. The Natives in some cases are able to look after themselves, and the State should recognise in dealing with this race that they are a people not yet sufficiently accustomed to our modern civilisation as to be able to derive from it the benefits which it confers on Europeans. They have been, and are, a communal people, not trained in that individual struggle for existence in which Europeans have been engaged for hundreds and thousands of years, and they cannot therefore, be expected to struggle with our own race on the same plane. That is my general outline of what I think ought to be done. I may give instances. There are hundreds of instances in which the Natives have been disgracefully treated. There is one case just now before two Native Land Court Judges—that of the Horowhenua Block—which exemplifies this disgraceful state of affairs. Papers were before me in which two Natives were practically made trustees for a sub-tribe or hapu—the Muaupuku—and now one of them repudiates his trusteeship. This means litigation or Parliamentary interference, and the poor Natives will have to bear the cost of this, or else be driven out of their homes. There are instances coming forward every month of this kind of thing, and whenever I happen to be in the North Island there are always Natives coming to me showing how badly they are treated. Sometimes I offer them advice; sometimes I find it hopeless to attempt to do