

central Board—if you appoint good men to it; and I have no doubt that suitable men could easily be obtained—would do all that. Another thing that I hope you will do in drawing up your recommendations is that you will recommend that ample salaries be paid to the men who are chosen for appointment to this Board. This is absolutely necessary in order to get the proper men to do this great work—this heavy and responsible work. In my opinion you ought to have them appointed either for a term of years, or so appointed that they could not be removed at the will of any Ministry of the day. You ought to give them some status—some position—and that would make Parliament more careful in its selection. Appoint them for five, seven, or ten years, at any rate, and provide that they shall not be removed from office except Parliament itself removes them. Of course that necessitates the concurrence of both Houses. Then give them ample salaries. I do not wish to see, either in this colony or in the other colonies, anything like luxurious salaries, but I wish to point out this: that if you so belittle the services of the State—as you are doing in respect of Ministers' and Civil servants' salaries—as not to pay salaries equal to those obtained in commercial establishments, in banks, in insurance offices, and in other walks of life, the result must necessarily be that you will only get inferior men. The law that regulates these things is perfectly plain—if you do not pay men adequately for their services they will go to the professions or places where there is the most pay to be got. The reason why the Civil Service has often attracted men, in spite of small pay, is, in the first place, that it was looked upon as a permanent appointment; and, secondly, because there was a pension attached to it. The permanency of the appointments has now practically gone, and the pension has also been swept away. If we do not guard it carefully, the Service will deteriorate; and I do not know anything that could happen which could prove more injurious to a democracy than that. Unless you have able, wise, and righteous men directing the functions of the State, democratic government must necessarily be a failure. Therefore, in thinking of the establishment of a Board for the purposes you have in view, I hope your recommendations will have the effect of securing for the members of that Board some degree of permanency, and a proper status.

WELLINGTON, 14TH MAY, 1891.

Mr. JOHN CURNIN examined.

2203. *Mr. Rees.*] You are parliamentary draftsman of the General Government, are you not?—Yes.

2204. How long have you been acting?—Since 1877 in that capacity.

2205. Before that time had you anything to do with the drafting of Acts for the General Government?—No. I was in the Crown Lands Office before then, and I had also charge of the old land-claims.

2206. Do you know anything at all about the drafting of the Native Land Act of 1873?—Yes; I did that for Sir Donald McLean. I was then in the Crown Lands Office, but I did that for him. I used to draft occasionally for the Ministers in that way. My present office was not then constituted.

2207. I suppose that from time to time, as you were requested, you drafted for Ministers?—Yes.

2208. Can you remember whether any definite instructions were given by Sir Donald McLean as to the principle of the Bill?—Oh, yes! The definite instruction was to ascertain all the titles, and have them passed by the Native Land Court.

2209. To the Natives?—To the Natives. And, in order to avoid confusion with the word “certificate” which obtained under the Act of 1865, I invented the new term “memorial of ownership,” signifying a title to the Natives. It was an English title to Native lands, issued to the Natives themselves, certifying that the title to such Native land had been ascertained.

2210. The ownership, in fact, to be determined by the Court?—Yes; and thus there was a broad mark of distinction between memorial of ownership and certificate of title under the Land Transfer Act, which was recognised as distinctly an English title. There was then too much confusion between the old certificate of title under the Act of 1865, and a certificate under the subsequent Land Transfer Act, 1870.

2211. That was the origin of the term “memorial of ownership”—to prevent confusion between the common term “certificate of title,” then in use?—Yes; and it was limited to the Native Land Court until it had issued an order to hold as a freehold, when a Crown title would issue. That was the more necessary inasmuch as at that time the Land Transfer Act was in full operation, and the new titles issued in respect of Native sales coming under the Crown would be certificated under the Land Transfer Act. So you would have a certificated land-transfer taking the place of a certificate under the Native Land Acts. Therefore the memorial of ownership was invented.

2212. Do you know whether Sir Donald McLean considered the effect of compelling each individual of the many owners of tribal lands to sign all necessary deeds?—He was in hopes that they would have partitioned, and he was anxious to encourage partition among the true owners.

2213. Individualisation, in fact?—Not so much that. He aimed at the tribes partitioning their land in blocks, and subdividing their lands, as an initiatory step to their individualisation. What he wished to arrive at was to give a title to a limited number in the Crown grant of absolute freeholders without any trustees—without any declaration of trusts. It was found that the idea which obtained first of all of putting certain names in the grant was not happy.

2214. You say they were not made trustees in the grant. Yet these grants gave those whose names appeared in them an absolute and indefeasible title?—Yes; that was very bad. They looked upon those whose names appeared in the grants as their patriarchs, who would have been, and morally were, trustees; but they were disappointed.

2215. Are you aware whether any case was ever planned or projected to test the legality of vesting the tribal land in the ten?—No. There was a case afterwards. I do not recollect the