

20. There are no settlers?—There will be, I hope.

21. There have not been any for twenty-odd years?—No; so much the worse. I am of opinion that the land should not have been allowed to lie idle so long.

22. It was locked up so long because it was in European hands and got into a muddle, and became the subject of litigation. There was never a chance of acquiring the block except under the Act of 1909?—That is the Act you should have taken advantage of for the purpose when the Natives were willing to sell the freehold interest.

23. Then you say, "Why was it not sold by auction or by tender, so that nobody could purchase more than the prescribed area?" Do you wish to amend that statement or leave it as it is?—Supposing the Government had purchased the land in the first instance, or that the Natives had been allowed to dispose of it themselves, it might then have been disposed of by auction or tender, or under the optional clauses of the Land Act—my meaning being that any method would have been better than the method by which it has been disposed of.

24. You are aware that the Order in Council was issued subject to a condition agreed upon that the land was to be cut up and sold in areas within the prescribed limits?—Yes; but I am also aware of the fact that the present owners propose to retain the mineral rights and sell to the new settlers only the surface rights.

25. The mineral rights are not involved in the transaction at all?—The mineral rights have been parted with by the Natives to the new purchasers; nothing has been done by the Crown to retain the mineral rights either for the settlers or for the State.

26. They were gone under the lease in any case?—For the term of the lease.

27. And the covenants in association therewith were broken and voided long ago so far as the Natives were concerned?—Yes.

28. Then the only exception you take now is in regard to the mineral rights?—No, I do not say that at all.

29. You are aware that one of the terms on which the settlement was arrived at was that the land should be cut up and sold in limited areas within three years?

*Mr. Herries:* We have not seen the terms yet.

*Witness:* I accept that statement from the Government, but it seems to me a very extraordinary state of affairs when the Government allow a third party to come in in this way, instead of settling the land themselves, as they might have done, and with more success than I think may be expected from the company.

30. *Hon. Sir J. Carroll:* Does not that in effect mean the close settlement of the land?—I sincerely hope that it will mean the close settlement of this block, but it also means the exploitation of the settlers.

31. I do not know to what settlers you refer?—The intending settlers—the men who will go on to the land in the future. They will certainly not be able to get on to the land on such easy terms as the Government could have afforded to give them.

32. I say in this paper, "The position to-day is that the title of the Mokau Block is vested in the Chairman of the Maori Land Board. The land is being surveyed and roaded, and must be sold in areas not exceeding 400 acres of first-class or equivalent areas of second- or third-class land to persons making the necessary statutory declaration. If it is not so sold within three years the Maori Land Board is empowered to conduct the sale." You are calling the President of the Board, and he will give evidence on that point?—Yes. I am not acquainted with Mr. Bowler, but I have called him with that object.

*Hon. Sir J. Carroll:* We can explain also your reference to the discrepancy in the date of the Order in Council and the gazetting thereof. There was a lapse of some days.

*Mr. Herries:* There is hardly a date mentioned in your paper, Sir James. There is no date given for the meeting of the assembled owners.

*Witness:* My information is to the effect that there were three meetings of assembled owners. The second meeting was adjourned, thus making practically a third meeting.

*Hon. Sir J. Carroll:* It will be all cleared up. As to the actual date, Mr. Bowler can give that. All we say in this paper is, "All necessary notices were given, and the provisions of the Native Land Act and Regulations were fully complied with. (See *New Zealand Gazette*, 22nd December, 1910.) The Order in Council was not issued until after the meeting of assembled owners, because it was not deemed advisable to issue it until the lessee had, after that meeting, entered into an arrangement securing the settlement in small areas of the block. The issue of the Order in Council at that time was plainly valid, and could not prejudice the rights of any one. The gazetting of the Order in Council was delayed owing to the absence of His Excellency the Governor from Wellington, but that delay did not and could not affect the rights of any of the parties concerned." I will get evidence on that point, if necessary, from the witnesses you call. We will have all the dates and everything supplied to the Committee.

*Witness:* The important point is that the Order in Council was not made public by way of being gazetted until after the sale had been confirmed by the Native Land Board.

*Hon. Sir J. Carroll:* The Government insisted, as the important point on which the whole thing rested, that the land should be cut up into small areas complying with the limitations provided by the Act.

*Mr. Herries:* That was not contained in the Order in Council.

33. *Hon. Sir J. Carroll:* That was the condition governing the whole thing. I think, Mr. Massey, that if we get your statement in print we shall have an opportunity of seeing what witnesses we may require?—Yes. I may find it necessary, Mr. Chairman, to ask for another witness or two. I had a letter last night from the locality. There are two individuals concerned who apparently desire to be called, and I think it would be well to give them an opportunity. I may say that I do not know them personally. One is Mr. F. Rattenbury, of Tongaporutu, whose wife, I gather from the letter, is a Native; and he suggests also that an old Native, Te Oro Waitihi, should be called.