

In the main the Native-land legislation of the Dominion has centred round the fabric of a communal title without, until recently, devising ways of circumventing or escaping from its toils. A method suggested by English experience was to subdivide or to partition the land among the individual members owning it. The indiscriminate pursuit of that method may be found at the root of many of the difficulties in the settlement of Native lands. Except where the normal proceedings were intercepted by alienation of the land, they have in many cases resulted in over-subdivision and chaos.

In the interests of settlement drastic methods were adopted by Parliament from time to time—namely, the vesting of large areas in the Public Trustee or special Boards, such as the East Coast Trust Lands Board, or, later, in Maori Land Boards or the Native Trustee, for administration. In none of these was the settlement of the Maori upon land a feature of the schemes, and they were not supported by the good will of the communities interested.

The solutions offered for this fundamental difficulty have been made in the last twenty-five years, and have been based on the experience of one district, the East Coast District of Poverty Bay. They may be summarized as follows in the order in which they appeared in practice, corresponding with the order in which they were adopted by legislation:—

DEVICES TO OVERCOME DIFFICULTIES OF THE COMMUNAL TITLE.

(a) *Incorporation of Owners.*

Briefly, this meant that the owners of any area or contiguous areas, subsequently extended to areas not necessarily contiguous but having elements of common ownership, were, with the consent of a majority in value, incorporated. A body corporate was created, which acted through a committee of management, having complete power to raise funds on the security of the land and to carry out farming operations.

It was deemed to be a temporary measure to overcome the handicaps of the communal title, to organize the land resources of the community, and to secure the selection of its best and most efficient members to conduct the work and business of farming. So far as it related to farming it was practically confined to the district between Gisborne and Hicks Bay, where it bridged a gap and enabled a large area to be brought into cultivation. It had the valuable features of assuring finance and the good will of the community, which was in personal touch with the administration of the land.

It is probable that this system will be retained in most districts where a family carries on farming and is not willing to dispose of the land to any one member of it.

(b) *Consolidation of Interests.*

Briefly, this is a scheme to gather together into one location if possible, or into as few locations as possible, the interests of individuals or families scattered over counties or provinces by virtue of their genealogical relationships. The basis is the net value of the interests of an individual in the lands included in a consolidation scheme, after assessment of encumbrances, including outstanding title fees, survey charges, and local rates. The opportunity is seized to make the new holdings conform to modern requirements, practicable fencing boundaries, access, water-supply, aspect, and so forth; also to adjust the roading of the area; and, with the consent of the Crown and of private owners, to effect exchanges of mutual benefit. The Crown has benefited by the consolidation of undivided interests purchased by it, and private owners have succeeded in improving their boundaries or in collecting round their holdings isolated Native interests purchased by them.

Commencing in 1911 with the Waipiro Blocks, on the East Coast of the North Island, the principle of the consolidation of titles has been expanded until it now applies to Native-owned lands in five counties on the East Coast and in the Bay of Plenty, five in the King-country, and to practically the whole of the Native lands north of Auckland.

It is now a stupendous undertaking. It has had to overcome considerable conservatism in the ranks of the Native Land Court as well as among the tribes whose lands have been subjected to it; but wherever it has been applied the Maori communities have been insistent that it should be carried out with speed and vigour. It is doubtful whether any movement ever aimed at the solution of the Native-land problem is so deserving of the encouragement and assistance of Parliament.

It may be added that consolidation further enables a complete stocktaking to be made of the Native-land titles within the scope of a scheme; also their classification for purposes of local taxation; and finally organizes the title in such a way that it is available for any purpose the owners may elect to adopt.

While the incorporation of owners was deemed to be the readiest means of organizing a communal title for purposes of finance and effective farm-management, it does not satisfy the demand instilled into the individual Maori or family by close contact with the highly individualistic system of the pakeha. Consolidation is the most comprehensive method of approximating the goal of individual or, at least, compact family ownership.

(c) *Vesting in Statutory Bodies to administer as Farms.*

Concurrently with the methods of incorporation and consolidation lands held communally were vested in statutory bodies with powers to administer as farms for the Native beneficiaries. A system of leasing to selected Native owners was also put into operation with limited success.

The former system, while it brought valuable areas under cultivation, did not promote to any great extent the education of Maori communities in the farming of land.

The accumulated effect of the application of these devices, in conjunction with education and other factors in the impact of western civilization on the culture of the Maori people, has been to break down a wall of conservatism and to force a resignation to methods which appeared drastic, but emphasized out of the lands as against the niceties of title.