

230. *The Chairman.*] Were you present at the hearings of both the Waotu Blocks?—Yes; I appeared in the Waotu No. 1 Block, the northern block. Dr. Buller also appeared. I think there were three other appearances by Natives. Arekatera was one, and a Native known as Pare Rekana was another, and I think there was third appearance of a sub-hapu of the same tribe, Ngatiraukawa.

231. After your knowledge of the general conduct of Land Courts, is it your opinion that, upon these particular cases of Waotu Nos. 1 and 2, there was a full and fair hearing given?—Yes; in my opinion there was an exceedingly full and complete investigation. I will give the Committee just one example from the case to show the extent and fulness of the inquiry. I appeared for the claimant in the Waotu North Block. I had only to establish in the first instance a *prima facie* case. After I had finished my *prima facie* case other claims were then heard at length. Then I think—I might be mistaken by a day or two—they spent fourteen or fifteen days in doing that, conducting their own cases. Then it came to my turn. To give the Committee an idea of the patient nature of the investigation I may say that, after I had examined my witnesses for several hours, they were examined by Dr. Buller for a day and a half, and by Arekatera, who was really Dr. Buller's client, for two days and a quarter. There was hardly a question from the time of the migration from Hawaiki down to the present time that was not brought out in some shape or other. And that has been the practice in all the Courts. I have never seen a single case of a Native Land Court, by any pretence or excuse whatever, endeavour to stop any Native, but they allow them to go a long way beyond the license that would be allowed to a European witness.

232. A good deal has been said in regard to the expense of passing land through the Court. Can you tell the Committee the source of that expense; what is the cause of it?—The first expense in connection with the acquisition of a piece of land is the survey. In respect to that I think the Government—I do not mean the present Ministry—are mainly to blame. They have ample power to control—in fact, the right to conduct—all surveys; but they allow these things to be done just by chance and haphazard. The result is that the rates for the survey vary exceedingly. I will give the Committee a case in point, which has come within my own personal knowledge. A block of land or certain blocks of land were to be heard before the Kaipara Court. Going up the Kaipara on other business than that of the Court, a Native on board the steamer, who knew me, showed me a document signed by a licensed surveyor offering to survey all this Native's land then coming before the Court at 1d. an acre less than any other surveyor in the district. When the surveys were completed and the cases came before the Court I was retained to appear in a great many of them. It turned out that this surveyor, on account of his offer, obtained the survey of all the blocks but one. The surveyor who had the one block charged 4d. an acre, and the other gentleman claimed 2s. 6d. an acre. It was similar land, adjoining blocks. I happened to have in my possession at that time the original document signed by him, and I gave it to him to read. He having read it, I asked him if a fair price was not 3d. an acre—1d. less than the survey adjoining, and in the same district. To that he declined to give anything like a clear explanation; and the case being so glaring I took steps to have the matter referred to the Chief Judge, who cut him down to 3d. an acre. If the Committee would like to have my opinion on the question of surveys I would say this: that the fairest and best plan would be for the Government to make all the surveys, and make them without any expectation of realizing a profit for the work done. The result would inevitably be within a short time the conversion of nearly all the outstanding Native lands from their present tribal title to certificate of Crown grant. It is only fair to say that the rates for survey now are nothing like that I have just referred to, but are much lower. But there is a want of that supervision on the part of the Government to prevent an apparently fair contract for survey being largely added to, in respect to price, upon a number of pretexts, such as delay and things of that kind, by which large sums are added to the original bargain. Cases are not unfrequent of the following kind: Blocks surrounding a certain block on three sides are surveyed, and the people owning the land in the centre apply for a survey; only one line remains to be cut, but the surveyor charges the full rates right round. He simply goes to the public office, and obtains from the previous surveys the maps and notes and the necessary information to construct the last line, and he charges the full rates right round the block.

233. There has been a good deal of evidence taken by the Committee in reference to the influence of the Europeans outside the Court, who are endeavouring to purchase land. It has been stated that the effect of these persons entering into negotiations before the land has gone through the Court has greatly complicated the investigation of title inside. One of the witnesses stated that they are the cause of nineteen-twentieths of the difficulties. I should be glad to have your evidence upon that point?—I was going to follow up to that point and give the Committee my idea in regard to the expenses connected with the investigation of title to the land. The next cause of expense is this: I think there are members of the Committee who know that if you ask a Maori in regard to any particular block of land within fifty miles of where he is living himself he will reply emphatically, "Naku"—it belongs to me, although he may have, upon investigation of the title, not a shadow of foundation to claim. Europeans coming to a district where a block of the kind is situated, and desiring to lease or purchase, as the case may be, each party so desirous of investigating fortifies himself as a rule with an interpreter; negotiations go on, moneys are paid, and each interpreter and agent, through the whole course of the negotiations, solemnly assures his principal that the persons with whom he is dealing are the only persons entitled to succeed at the Court, so that by the time the case has reached the Court for investigation there may be four or five antagonistic negotiations in respect to the same block of land. Each European, of course, backs up that particular case which will make the title of his people good, and the Natives themselves are compelled to defend their respective titles in self-defence, because they have eaten so much money on account of the block, and that, in the event of their failing to succeed, they might be obliged to have recourse to the operation performed by one the other day at Cambridge—filing their schedule. Following up that point, another cause of expense, which has, I believe, been pointed out in the printed report of