and friends were once more despoiled. To add to the cruelty of the proceeding, the Maoris were told by the Judges of the Native Land Court that no one of the ten could sell his individual share or interest, but that all must join in any disposition of the land so granted. This was consolatory to the former owners, as it seemed to afford some protection to the whole people who claimed an interest. But this was erroneous, as the Maoris soon found. Speedily Crown grants were issued to the favoured few, and as speedily—sometimes fairly, sometimes unfairly—tribal lands, in area by hundreds of thousands of acres and in value well-nigh beyond calculation, were obtained by speculators and eager investors from those in whose hands they had been so unfairly and unjustly placed. The records of Maori land transactions will make the cheeks of our children burn with shame for many generations.

What the fate of grants thus issued, and titles dependent on them, will be when brought before the final Court of Appeal in England, it is not for me to predict. But that these are facts no one will venture to deny. If they do, the records of the Native Land Court and the Crown Lands Office, together with subsequent legislation, will fully substantiate all that I have said.

So glaring were the wrongs perpetrated upon the Natives under the Act of 1865, that, in 1867, a new Act was passed which entirely reversed the mode of giving titles to Maori lands. Immense mischief, however, had been done and wrongs inflicted which it will be, even in part, difficult to redress.

By the 17th section of the Act of 1867, all the owners, according to Native custom, in any block were to be ascertained by the Court, and a certificate issued, which, upon its face, was to bear the names of not more than ten persons entitled, while upon its back was to be endorsed a list of all the remaining owners. The ten whose names appeared upon the face of the certificate had no power to deal with the estate, except by way of lease for a period not exceeding twenty-one years; and no sale or mortgage of any such land, or any part of it, could be effected until after the land itself had been subdivided among the different owners. This, indeed, prevented the property being sacrificed, but it also prevented the increase of settlement; and in most cases the land became let to European tenants at ridiculously low rentals. Moreover, these rentals, instead of being distributed among all the owners, were paid to, and appropriated by, the ten whose names appeared upon the face of the certificate, while in practice it was found well nigh impossible to subdivide these lands at all.

As I have said, Native lands are held tribally, and it is an impossibility to point out those portions which belong to individual owners, for the obvious reason that all the land belongs to the whole tribe, and not parts of it to individual members. The tribal ownership is exactly similar to the ownership of the property of a joint-stock company. The tribe is the company, its name is the corporate name of the body, its members are the shareholders in the company, and the land is no more owned by the individual members of it than the land of the joint-stock company is owned by the individual shareholders. The only powers required to turn a tribe into a joint-stock company for the ownership of its estate are two—(1.) The power to use the tribal name and a seal as the name and seal of a corporate body. (2.) The ascertainment by agreement or through the Native Land Court of the proportionate share which each family or individual should have in the proceeds.

The next great step in Native land legislation was in 1873, when another Act, containing an entirely new principle, was added to our Statute Book.

I have pointed out that the injuries inflicted under the Act of 1865 were but ill remedied by the cumbrous and unreasonable Act of 1867, and it soon became evident that the principle contained in the new Act of 1873 combined to some extent the evils of both the former Acts, with scarcely any of their advantages. For the framers of this new Act had the names of all the Maori owners in a block enrolled in the memorials of the Native Land Court, and all, by it, had equal power of joining in every lease or sale, but such restrictions were placed upon the exercise of this power as to render it practically useless. To make a valid lease of the whole block, or any portion of it, every individual owner must execute the deed of lease with all the extreme formalities demanded by the Native Land Court Acts. If one out of a possible three hundred owners were outstanding—and this by reason of death, infancy, absence, or dissent, was sure always to be the case—such a lease was incomplete and could not be registered in the Native Land Court, leaving the European lessee to bear the risk of spending money in clearing, fencing, improving, and stocking a station without a title to the land itself.

To this day not ten per cent. of the leases held by Europeans under the Act of 1873 are complete and enrolled in the Native Land Court.

To effect a valid sale or purchase of Maori land under this Act, the whole of the owners without exception must join in the conveyance, which in nearly all cases was impossible by the same reasons of death, infancy, absence, or dissent. If, however, all would not consent, a clear majority of the owners might agree to sell and then apply to the Native Land Court for a subdivision of the whole into two aggregate portions, one of which should represent the part belonging to those who were willing to sell, the other representing the part of those who dissented.

So little did the Native Land Court understand the meaning of the Acts which it administered that this provision of the Act of 1873 has never been fully carried into effect; and it is only within the last few weeks, upon a case stated for the decision of the Supreme Court, that that Court has interpreted the law so that the Native Land Court Judges may be directed how to carry it out.

But even this sale by a majority is inimical to the real interests of the Maoris as well as prejudicial to their rights. In every list of names enrolled upon the records of the Native Land Court as owners of a block of Maori land there are always included not only the great hereditary chiefs and families, but also their dependents, as well as the families and descendants of slaves taken in war, and those who, by friendship, have been allowed to live upon the land. And, still further, in almost every instance some names are included not because their owners have any interest in the soil, but by way of friendship or esteem or favour. These last names are said to be