

Government only?—I approve of the land being sold to Government or outsiders, provided the negotiations are carried through by the Committee or the Board.

340. Then you wish the present state of the land to continue; that is, that the Natives are free to sell to any one—to the Government or to Europeans?—Yes; seeing that the Natives are to sell their land to the highest bidder, the matter will be left in the hands of the owners. It is for them to consider who the person is that gives the highest price; they will instruct the Committee and the Board accordingly.

341. Do you think that the Maori should be placed, as it were, between two fires?—I have already explained that formerly the Government had the pre-emptive right; but since the constitution of the Native Land Court there has been free-trade in land.

342. Do you know of any land sold to the Government in respect of which purchases there is still some trouble?—Yes. I do know of cases similar. I would instance the Wairarapa land, which the Government bought from anybody—from stray people, in fact; indeed, from any one the officer happened to meet on the roads.

343. Did the people who felt aggrieved by these purchases petition Parliament for relief?—Yes, they did; and they are still acting.

344. Did they succeed in obtaining relief?—It has since been found that the land belonged to a hundred and seventy owners, while the Government purchased from only sixteen or seventeen.

345. Has not that trouble been set at rest?—No, it has not.

346. Do you know of any cases where Europeans have purchased lands improperly?—I do. I have already said that, in consequence of the land having passed the Court, Europeans have advanced money on the lands or paid for them in flour, sugar, clothing, and other articles.

347. Are you not aware that certain cases have been sent to Parliament, complaining about recent transactions in land, troubles that have been caused through the action of Europeans?—I know that a great many petitions have been sent to the present Parliament complaining of the action of Europeans in purchasing land. This is one of the troubles that have come upon the Napier and Poverty Bay Districts.

348. Do you think that Parliament can give relief to the people who suffered from these transactions?—No sufficient relief can be given to these people who have suffered in this way. Had the transactions been carried through by Committees and Boards, such as we propose in our amendments, the matter would have been different.

349. *Mr. Te Ao.*] You said, the last day you were examined, that it would be for the Native Committees to adjudicate in respect of the land, but that the Native Land Court should make the subdivision?—Yes. I did make such a statement.

350. I want you to explain to the Committee how this is to be done?—I am alluding to those lands that have passed the Court and for which a Crown grant has been issued. If there is any dispute about that land the matter can be handed over to the Committee and the Board which will consider what is to be done with the interest of the minority. I did say also that the land could be handed over to the district Committee; but I think that Committee would not be able to investigate the matter, and that the Court should make subdivision. I am, I say, speaking of lands that have already passed the Court.

351. Then how are the other lands to be dealt with—lands that have not passed the Court?—With regard to lands that have not passed the Court I think that should be left entirely in the hands of the people owning the land. It is for them to say whether they should apply to the Native Land Court to have the title investigated or not; they should not be forced or hurried into having their lands brought before the Court.

Colonel Sir GEORGE WHITMORE, K.C.M.G., examined.

352. *The Chairman.*] You have been summoned here to give evidence; have you seen the Bill?—I have just read up for the first time what I was told I was sent for to give evidence upon. I have a general idea of the policy of the Bill, but I cannot say that I have seen the Bill before.

353. *Sir George Grey.*] I should like first, Sir George Whitmore, to put some questions to you about the 54th section of the Bill, second part?—I must have got the wrong copy, for there is no second part here.

354. Will you look to the heading “Concluded Transactions?”—Yes.

355. What I want to know from you is, what effect this section, and what effects the 55th and 56th sections, will have in reference to transactions going on on the East Coast?—The position of Native land on the East Coast is something like this: Owing to the absence of the Native Land Court for seven years, notwithstanding the immense number of applications from Natives to have their lands passed through the Court, it has been impossible for them to do so; consequently there has been no possibility for lands that had not already gone through the Court to be dealt with, nor for any that had except under “memorial of ownership.” In the years 1878 and 1879 the Government had for their policy the virtual resumption of the right of pre-emption. Private purchases or treating with Natives for lands that had not gone through the Court had virtually ceased. In 1879 the policy was to a considerable extent reversed. It was declared to be the policy of the Government simply to complete such purchases as it was worth while for the country to complete, or which were very nearly concluded. In a considerable number of cases moneys were refunded to Government by persons who wished to deal with Natives, and the Government offered no further obstruction. Except in cases in which the Government had been dealing for lands, it had never been illegal to deal with lands belonging to the Natives which had not passed through the Court—that is, there were no penalties; but Europeans did not receive the protection of law to enforce their occupation, nor did the Natives receive the assistance of the law in enforcing the payment of rent. It consequently became an equitable arrangement as between man and man whatever agreement was come to by a Native chief and a European who desired to utilize the land. Europeans, finding that the Government was not likely to proclaim any more land and had withdrawn the Proclamation over a great many lands in the colony, began to lease lands on the East Coast and elsewhere