

“person” could claim. In every case of such transaction it should be borne in mind that the Legislature had imposed from 10 per cent. to 20 per cent. (according to the time in which they could be got in) of stamp duty and Native duty, and compelled the purchaser to pay these duties before they would allow the claim to be adjudicated on by the Frauds Commissioners. I have heard—but in this I stand under correction of Mr. Macdonald, the chief Judge, who can correct me—that there has been a judgment since where the word “person” is held to mean otherwise by the Supreme Court. I am not positive in the matter (so that you may take what I say on this subject *cum grano salis*); but about six months ago I understood so from something that took place. It certainly did not interest me, and I was under no obligation to remember it. But I think it interested Mr. Locke.—[*Mr. Locke*: Yes; it interested me, for the judgment gave ten-elevenths of the land back to the Natives from whom I bought.]—It did not interest me much, for it was only people who would not lease but wanted to sell from whom I bought. I see there is nothing in the interpretation clause that makes the word “person” apply only to the Maori race.

375. *Mr. Locke*.] By the law as it now stands you had to pay 10 per cent.—It is capitalized. In my case it is about thirteen and a half years. They oblige you to capitalize it as soon as you get one signature. There are 1,400 to get in my case. In a district such as I live in, where there are no roads, I am subject to an additional 20 per cent. on that 10 per cent., for unless I can get to Napier or comply with the convenience of the officer there I have to pay 20 per cent. on the 10 per cent. if not submitted.

376. Within the month?—Yes; before thirty days.

377. What is the distance from Napier?—From my place it is about a hundred and fifty miles as the crow flies.

378. How often can you communicate?—I think in about fourteen days from my own place; but you do not know where you may have to go to a Native for his signature; then the moment you get it you must send off to Napier.

379. Would the having a registry office at Gisborne assist the matter?—Yes, it would a little; but the real relief that is required is that transactions should not be held to be complete when one out of fourteen hundred signatures has been obtained; for, practically, it amounts to this: as it must be many years before all can be found to sign, you must pay before you get the signature of the greater number; three months after you have to pay 10 per cent. on that 10 per cent.—that is to say, 20 per cent. in all if the deed has not before then been submitted.

380. Do you think that capitalizing in that way prevents the land getting into the occupation of small settlers?—Yes; for it is impossible for any man who has not a considerable backbone in the money way to do anything.

381. Do you think that it would be right both for Europeans and Natives to have this fairly declared?—In the present state of the law the cost is so great of attempting to settle, that very few persons will set to work to improve the land so as to enable it to carry stock. People while waiting for their title are liable to rates and taxes. There are many persons holding lands under memorial of ownership for the last fifteen years, and perhaps the non-signing by one or two owners prevents them finishing.

382. Practically, then, it prevents the development of the whole area?—It is usually computed that that country would carry from two to three million sheep if it was properly used, which cannot be till titles can be obtained.

383. *Mr. Hobbs*.] Your evidence was at first in reference to lands which have not passed through the Native Land Court?—I mean that when we survey and take off the reserves we do not know how much we will get; when everything is done you reckon upon getting fifteen thousand acres if you get it all; but it is very uncertain whether you get it or not.

384. The latter portion of your evidence related to land held under memorial of ownership?—My first lease was for the whole area; afterwards we separated what had gone through the Court. I do not expect to get more than fifteen thousand acres in all. One or two blocks of that land are perfectly wild country, and some of it would not carry a sheep to ten acres.

385. You are not interested in any large transactions?—No, I am not. I am perfectly prepared to show the Committee every transaction in which I have been engaged, if time is given me to send for the papers. The other day a Judge said he never saw a lease so liberal to the Natives as mine. I do not care how many persons examine it.

386. I suppose these unconcluded transactions are illegal transactions?—I hardly think that: how can they be illegal if the Government taxes them, registers them, and makes you pay stamp duty upon them? A man has to look forward for thirteen and a half years, but it is recognized in most of the legislation since 1864 that such transactions are not illegal, but void. In one Act it is said “no lease under memorial of ownership shall be valid;” but that does not mean that it is illegal. There is no penalty for it. I should not say that it was illegal, although it may not be valid. If you made a will and did not get it witnessed it would not be valid, but it would not be illegal.

387. You are not satisfied?—I think it is a cruel law for the *bonâ fide* occupant; it seems to be kept up for the purpose of putting an enormous amount of money into the pockets of interpreters, Native agents, and other persons throughout the country.

388. Do you know of your own knowledge any one of the large transactions in leased land?—I cannot tell you the details, as I have done in my own case, for I have not made any particular inquiry. There is one large transaction, but I know of it only as a matter of repute; there is a large transaction of the Williams family. There appear also to have been considerable transactions by a company. The Williamses bought some freehold originally, but now they have obtained occupation of a very considerable extent of country; they are near me, but I have nothing to do with them. There is also another corporation, the New Zealand Settlement Company.

389. *Mr. Locke*.] The “Native Land Settlement Company”?—I think they have pushed their