

516. This Bill will become law before the Commissioner commences his duty?—I do not see the harm if it is put in “Commissioner” instead of “Judge;” why not?

517. Will not a long time elapse before the Commissioner or the Judge can act?—Well, but they will have to count every sheep and every head of cattle, and to see the land.

518. Will not Maoris be bribed by Europeans to keep quiet and to shut their mouths? Do you not think that the Commissioner should make all these inquiries before the law is passed?—I think it would put the country back about three years, for until the law is passed no one will do anything, and people will not be disposed to throw away good money after bad.

519. I think the Commissioner ought to be appointed at once?—That may be very fair and very right. I do not know. I have not considered the matter.

520. You say that the Maoris could not elect a Committee?—No; I did not say that. The question asked me was whether in certain circumstances—so many votes to be given to each member or the whole lot—whether it was to be half or more. I said I thought Maoris would be much slower in getting signatures for elections than Europeans would be for their titles. That was a question as to the construction of the Bill.

521. Do you not think that, if single individuals were prevented selling land, that would be an incentive to cause all speed in getting their Committees?—I do not think a chief in my part of the country will sell at all. It is only the small sort of people that will do so, and until the land goes through the Court nobody can sell.

522. Do you not know that this Bill provides that no leasing or selling can be carried on until the land is put through the Court?—Yes.

523. Do you not think that that will be an incentive to the Natives to make haste?—They must put it through the Court. I find, as a matter of experience, that it takes a long time to induce Natives to put their land through the Court. After it is put through the Court I do not suppose that it will be very difficult to get a Committee elected; they cannot elect till the land is through the Court.

524. And when passed through the Court?—I think my Committee that is working for me is of great use to me in passing the land through the Court.

525. Has it ever been shown in former legislation that the Maoris are not capable of electing Committees?—I do not think so; by this Bill they have Committees for separate Crown grants; but I believe all the existing Committees are for districts.

526. You have stated that for some of the lands in your district there are 400 owners. Do you think it would take two or three years to obtain their signatures?—If they were all living on the land, or if they were all alive, it would not take so long; but you do not know where many of them are living, or whether some of them are not dead. Some are living at Kororaraka or other places at a great distance. If you could afford money to pay Magistrates, licensed interpreters, and other people to be constantly hunting them up, you would do it sooner.

527. Do you know the block of land called the “Oil Springs?”—Yes.

528. Do you know that the Committee dealt with that in a month?—No; nor in nine months. About half the signatures were got, disputes with the Europeans arose, and both sides agreed to settle their differences.

TUESDAY, 1ST SEPTEMBER, 1885.

Mr. F. D. FENTON (formerly Chief Judge of the Native Land Court), examined.

529. *The Chairman.*] You are an ex-Judge of the Native Land Court?—Yes.

530. Do you know this Bill, that is now before the House, entitled the Native Land Disposition Bill?—Yes.

531. You have read that Bill?—Yes; I have read it.

532. The Committee are anxious that you should state to them what you think of that Bill. You have had, I believe, a very large amount of experience in matters of this kind, therefore it is that the Committee desire you to state your opinion of this measure. There will be questions put to you by various members of the Committee, so as to elicit from you the effects of certain clauses of the Bill?—I presume you do not intend that I should critically review the Bill as to its artistic formation, but rather that I should speak as to its general principles.

533. We require you to speak only to the effects which, in your opinion, the Bill will have?—My opinion on this Bill, founded upon very long experience, is that, inasmuch as practically it throws the whole administration of the ascertainment of title and dealing with Native lands into the hands of the Government, or what is called the Governor in Council, it will not be acceptable to the Maoris.

534. You say your opinion is founded upon long experience: will you state the number of years over which your experience extends?—Thirty-five years, I think I may say. I was living in the Waikato in 1850, and in 1851 Governor Sir George Grey saw me there, and I was introduced to the public service. I was made Resident Magistrate in the Kaipara in 1853, I think. That was the year when Sir George Grey went to Dunedin. In 1855 I was made Native Secretary. At that time Colonel Browne was Governor; Sir Donald McLean was Chief Land Purchase Commissioner. There arose a controversy between us as to whether the Land Purchase Department should be subordinate to the Civil departments or the reverse. I need not go into that controversy, but it resulted in my relegation to Raglan as Resident Magistrate. The Governor offered me the appointment of Land Commissioner, which I declined. I was then thrown into the midst of the King movement, which was assuming importance. I wrote a long paper about it. It appeared to me that it had not attracted the attention of Parliament and the Government to the extent that it ought to have done. That paper was laid before Parliament and resulted in a Committee called the Waikato Committee. The final result of these proceedings was the abolition of the Native Land Purchase Department.