

so many things in this Act so entirely antagonistic to Maori train of thought and to their sense of national feeling, that I think in a short time the Bill will not operate.

741. *Mr. Hobbs.*] You have been asked respecting the difficulties affecting Native land which have arisen through Europeans dealing with the land after passing the Court. I want to ask you if you do not think that many troubles and complications have arisen through Europeans dealing with the land prior to its passing through the Court?—I reply “Yes” to that question.

742. Do you not think when Europeans have been negotiating for land, and have made advances upon it to certain reputed owners, they have been compelled to employ agents and all other means at their disposal for the purpose of getting those Natives to whom they advanced money into the Crown grant, and that such Natives have been represented as owners?—I believe that to be so, but I cannot say from my own experience that I have seen anything of the sort. In my time, when I was a Judge, the system of handing in lists, which seems now to exist, was not submitted to by me. The only case in which I did allow a list to be put in was that of Mokau. That was a recently conquered country, and I did not quite see what to do with it. But in respect of ancestral lands I never accepted their lists. If the ancestor were once found it was easy to find who were the descendants. The very last case that came before me, that of Matamuku, they gave me a list, but, having ascertained the hapu to which the family belonged, and tracing the descendants downwards, it was an easy operation to arrive at the true representatives. I found that a very long list was reduced to twenty-eight or eighteen, I forget which number.

743. You say there were not many cases in your time, but are you not satisfied, in your own mind, that they have been increasing very much of late—these negotiations for land prior to its passing through the Court?—Yes.

744. A great deal of it is going on?—Yes.

745. Would you be good enough to define the time during which it existed: was it within the last three or four years that it began?—I could not do that, but I have very little doubt that it has existed a long time, even while I was Judge, and knew nothing about it. When I left the Court I found that I had to a certain extent been up in a balloon all the time; things were going on that I had not the slightest conception of; so that the process might have been in existence for some time.

746. Are you not satisfied that there are many cases of serious injustice arising through it?—I should say so; in fact, I know so,

747. Would you have any objection to state any case in your memory?—Yes; I can state a case in which the broad principle was decided, if I remember aright, by five Judges—by Judge Munro, certainly the ablest man we ever had by far, Judge Maning, Judge Rogan, myself, and I think Mr. Smith—I think there were five—we all decided that the great country extending from Kawhia across to Maungakawa, which originally belonged to a tribe called Ngatiraukawa had been taken from them and their title extinguished before the European Government came to the colony, and a boundary-line was laid down between them. William Thompson was on his death-bed; I was Chief Judge. He was recognized as the principal man by both sections, and he led them to Taranaki, as we know. Well, those people were decided to have lost their title to the whole of that country. But I am now confining my remarks to a small extent of it, namely, from Rangiahia to Maungakawa. We decided that their families had been all destroyed at the battle of Tamatauiwiwi, and those men who were not killed went away. We decided that they had lost all title to this land, and that the land which remained to the tribe was vested in those to whom the refugees said, “You remain food for Waikato.” As we decided they had no title, we did not admit them into the grant. But afterwards others appeared, and the men we had admitted as owners said, “Let these men come in.” I felt so clearly about it, that is, about the evil of establishing a precedent, that I said, “No; although you are owners and agree to admit them I will not put them in; if you want to give an interest, you get your titles, and give them some of the land from yourselves afterwards. But the Court will be no party to such a transaction as you wish to be done.” In recent times, I believe, these men have been admitted, or some of them.

748. Was that land sold prior to passing the Court; sold to Europeans?—I think so; or rather it had been negotiated for.

749. That is, advances had been made upon it?—I believe so.

750. Do you think that pressure was brought to bear to get the title?—Pressure on whom?

751. Well, I should not exactly like to say, but it might be on the Assessor perhaps, or in some way on the Court, or through the Native experts and agents who might have used their influence from the fact that advances had been made?—I would not like to answer a question of that sort; no pressure was ever brought to bear on me.

752. We were speaking of this particular case: do I understand that you will not answer the question?—I think questions of that kind ought not to be asked.

753. My object in asking the question was to get your opinion, so that the Committee can form a clear judgment on what, to my mind, is one of the great causes of trouble, namely, making advances to Natives on their land prior to passing it through the Court?—I have no objection to answer questions about these advances, but I would ask you to refrain from putting questions to me about the Assessors.

754. Do you think there can be any scheme devised for the settlement of Native lands other than the present one: do you think that the plan of forming large syndicates or companies, the Natives handing over their lands to these companies—in some sense co-operative companies—to sell: do you think that would be advantageous?—It is a very difficult question to answer. I was requested by an English company, comprising high ecclesiastics and great men of all sorts, to undertake an agency for them, and to advise them; the conditions they made, the nature of the advice I was to give, were such that I refused to acquiesce. There were other