

MINUTES OF EVIDENCE.

FRIDAY, 14TH AUGUST, 1885.—(Mr. J. B. BRADSHAIGH-BRADSHAW, Chairman).

JAMES CARROLL examined.

1. *The Chairman.*] What are you, Mr. Carroll?—I am a half-caste, and, by profession, a Native interpreter.

2. I understand that the Natives desire you to give evidence on this Bill?—Yes; the Natives have expressed a desire that I should give evidence on the Native Land Disposition Bill before this Committee.

3. Speaking of the Natives, who do you mean?—I represent the Hawke's Bay and East Coast Natives.

4. Will you state now what you wish to say?—I may tell the Committee that when I came here it was to bring down the views of the Hawke's Bay Natives on the Native Lands Disposition Bill. They consider that the Bill is not suited to their interests, and that I should ask the Government, or the Native Minister rather, to put it off till next session, and that the interim should be used in trying to make the Bill more suited to them. Their objections to the Bill are these: that the Bill places too much power in the hands of the Government. They feel that by this Bill they would be robbed in a great measure of their independence—that is, in connection with their lands. They object to the constitution of the Board in the first place—that is, at their being two Government nominees and but one Native. Their idea is that if there should be a Board at all that Board should have a strong representation of Maoris on it. Not only that; but the Native representation on that Board should be a representation of the ownership of the block of land being administered by the Board, and that the Commissioner should only be associated with them as a kind of executive. There seemed also to be a general desire on the part of the Natives that the Committee should act as a Board, instead of the Board being a separate body. Another thing was that the Government should not have any special advantages afforded to them for the purchase of Native land, as provided by clause 25. They do not see why the Government should not be made to compete in the purchase of Native land with private individuals. Then, again, there seemed to be a want in the Bill of some provision so that the owners might control the Committee. The Bill states that the Committee shall issue instructions to the Commissioner, whereupon the Commissioner shall proceed to carry out these instructions. There is nothing in the Bill to show that these directions shall come from the owners of the block. They think it is possible that a Committee of seven might act on their own account, independent altogether of the wishes of the owners. When I left Hawke's Bay we had had three meetings. They were hurried meetings. At each meeting it was felt that there was not sufficient time to do the Bill justice, and that it was better that myself and others should come personally to Wellington, and ask the Native Minister to put off this Bill until next year. After we arrived in Wellington we saw the Native members, especially the member representing the East Coast. We communicated to him the object of our mission, and he prevailed upon us to remain, and try if possible to go through the whole Bill, and make such amendments in it as might suit the Natives. We have gone through the Bill carefully two or three times, and they have asked me to draw up certain amendments to embody their views, which I have done. These proposed amendments are printed, and before the Committee. Of course, in doing so I may state to the Committee that I exceeded the resolutions we arrived at in Hawke's Bay, and have probed further into the different clauses of the Bill. For instance, since our arriving here we have seen that the Bill does not provide for representing the minority. I may illustrate this by saying that, supposing there were a hundred owners in a block of land, fifty-one of whom would participate in the election of the Committee. There would be forty-nine of a minority. But the seven appointed by the fifty-one would have the power of selling all the interest of the forty-nine. I drew up an amendment to meet that case, to be added to clause 32, Part V., which was as follows: "Excepting in cases where, although in a minority, one or more owners object to the administration of their interests by the Local Committee, or did not participate in the election thereof, then the said Commissioner shall, before proceeding further under this Act, move the Native Land Court in the usual manner, so that a subdivision of the interests of such dissentients may be effected." It might be possible that the minority I have spoken of would be a minority in number, although there might be a strong majority in interest. I have also amended clause 28, so as to check the Committee acting independently of the owners. Then, in Part VI., clause 40, on the 29th line, we propose to strike out all the words after the word "owner," and substitute the following words: "without any deduction whatever, and without delay." Of course, that is practically doing away with the 5-per-cent. reduction towards defraying the expense of roads and the cost of survey, as shown in the Bill. At present the Natives are already paying for surveys, and they already pay Court fees, and the only new matter they are asked to pay for here is something towards the maintenance of roads. They feel that they are justified in objecting to that—any way, that it should not be introduced into a Bill of this kind. Of course, it necessarily follows that clauses 41, 42, 43 should be struck out. Then, in clause 44 it is proposed to strike out the words "any number," and make it "that all shall agree before anything can be done in that direction;" and the same in clause 45. In regard to moneys being placed on deposit in the hands of the Public Trustee, it is considered that the subjects dealt with in both these clauses are of such importance