

64. You know the limitation section in the Native Land Act?—Yes.
65. You know that it would be impossible to allow an alienation such as this to take place without an Order in Council?—Yes.
66. Have you at any time had any similar experience of Orders in Council?—Yes.
67. Have you since you have been appointed to the position you now occupy?—No, that is the only one my Board has dealt with; but I know of other cases.
68. Other cases where blocks of land have been allowed to be alienated by Order in Council?—Yes.
69. From your own personal knowledge?—Yes.
70. Will you tell the Committee where they were?—I know of only one under the present Act. That was a 1-acre section at Otaki, which was required by the Loan and Mercantile Agency Company for a saleyard. I know of any number of cases under the old Act.
71. When you convened the meeting as President of the Maori Land Board, were you informed that if the Natives consented to the sale an Order in Council would be issued?—No.
72. You did not ask anything about it?—No.
73. Still, you know that without an Order in Council the alienation could not take place?—Yes.
74. Now I come to the meetings themselves. You stated that the Natives would not at the first meeting agree to the sale?—No, I did not say that. I have already said that there was a majority in favour of the sale in two blocks, and those two blocks aggregated over 30,000 acres in area.
75. *Hon. Mr. Ngata.*] Give us the area of each of them?—1f, 26,480 acres; 1g, 2,969 acres; 1h, 19,576 acres; 1j, 4,260 acres. So that at the first meeting there were 30,740 acres in respect of which the Natives were in favour of the sale.
76. *Mr. Massey.*] Is it value or area that counts in such cases for the purposes of sale?—In regard to the voting-power of interests?
77. Yes?—Well, it is area—area and value. In each block we had a number of owners whose interests were not located, consequently the question of value would not come in. The interests were not geographically defined.
78. Then, how do you become aware of the area which they own?—By the relative interest, expressed in shares.
79. Is that sufficient for you?—Yes.
80. Then, if there was a majority in favour of alienation at the first meeting, according to area, why was not the alienation allowed to take place?—The main reason was that the Board would not have felt justified in selling land on a bare majority—on any majority. I do not know a single case where the Board has sold the land of any dissentient owner.
81. When you say “dissentient owner,” you mean one who was present at the meeting as a dissentient?—Present or represented.
82. What was the date of the first meeting?—The 6th January.
83. When was the second meeting held?—On the 10th March.
84. Were you requested to convene the second meeting?—It was an adjournment of the first.
85. Will the minutes show that?—Yes.
86. You will put them in later on?—Yes.
87. The first meeting was practically adjourned?—Yes.
88. Was the date of the adjourned meeting fixed then?—No, it was left to me to fix.
89. By whom was it left to you?—By all parties.
90. How many Natives were present at the second meeting?—I have not got a note of the number. It might have been thirty or forty.
91. Are you quite sure there were as many Natives present at the second meeting as at the first?—I did not count them, for the simple reason that I knew the matter was not going on—I knew they were going to approach me for another adjournment. There would probably be thirty or forty present then.
92. You have got the minutes of the second meeting?—Yes.
93. You will put them in?—Yes.
94. Will the minutes show the number present?—No, they only say that a large number were present.
95. Was Mr. Dalziell present at the second meeting?—Yes, he was present.
96. As representing Mr. Lewis?—Yes.
97. Was any other legal gentleman present?—Not that I can remember.
98. Had the Native owners the benefit of legal advice at these meetings?—At the first meeting Mr. Skerrett was there.
99. Whom did Mr. Skerrett represent?—The Natives.
100. Are you quite sure?—I had his assurance of it.
101. By whom was he paid?—I do not know.
102. Do you know that Mr. Skerrett represented only a minority of the Native owners?—I was never led to believe so. Mr. Skerrett advised me that he acted for the Natives, and he explained the position to them very fully.
103. Do you know Tuiti Macdonald?—Yes.
104. Do you know that he told us that at the first meeting 77 per cent. of the Natives were against the sale?—Yes, I saw that in the paper.
105. And that Mr. Skerrett represented a minority of the Natives? You are not sure that Mr. Skerrett represented a majority of the Natives?—I understood from Mr. Skerrett that he represented the Native owners.