

With respect to the point on which Mr. Hall especially desires information, viz., the tendency of the Act to cause the parties to subdivide their lands, I remark that every certificate indicates as far as it goes a subdivision of the tribal estate, and the insertion of certain names in a certificate of a block of land is almost always the result of an arrangement amongst the members of a tribe, the consideration being that the names of those now inserted are to be omitted in certain other certificates, for it must be remembered that all lands are owned by the tribe. But perhaps Mr. Hall uses the word subdivision in a more limited sense, tantamount indeed to an individualization of titles. In this point of view I think the Act has not had time to operate extensively. Mr. Manning indeed speaks of the process as having commenced in the North, and being likely soon to be in active operation; but generally speaking, I think that hitherto the Natives have only taken preliminary steps. Most of the blocks hitherto certified have been brought into Court for the purpose of enabling sales or leases to be made to Europeans, in order to raise money for the purpose of completely individualizing other blocks or some of the blocks already passed. It must be remembered that the most formidable obstacle to the rapid progress of conversion of titles is the extreme poverty of the Natives, and the great commercial depression which has existed for the last twelve months, and which is now more aggravated than ever, has rendered sales of land almost impossible.

Two years ago no one could have foreseen the price to which land has fallen in the Province of Auckland. Thus, Walter Kukutai's tribe have in vain been offering 40,000 acres, in one block, of the finest land in the Waikato at 5s. per acre cash, or 6s. 6d. deferred payments extending over five years. A block in the North, called Waitaroto, cost 9d. an acre for survey, 1d. per acre in other expenses, and was offered for sale at 1s. per acre. I do not think myself (although Mr. Manning differs, and I have the very highest respect for his opinion), that any great progress will be made amongst the Natives throughout the Island in obtaining individual holdings in the sense in which Mr. Hall uses the word, if I rightly apprehend his meaning, until the present period of appalling depression shall have passed away. Still, I should add, that a great number of the certificates already issued are in favour of individuals, and whether these are trustees put in for the purpose of sale on behalf of the tribe, or whether they are to be regarded as intelligent members of the tribe determined to possess freeholds for themselves, it is impossible to say; and it would be difficult, if not impossible, to obtain this information from the Natives, unless they are thoroughly satisfied that our motives in seeking it are not such as to excite suspicion, and to satisfy them on this, as, indeed, on any other head, must be the work of time, and an unchanging policy. That the ultimate result of the operations of the Court will be the conversion of the Maori nation into two classes,—one composed of well-to-do farmers, and the other of intemperate landlords,—I have little doubt, but I do not think that these results will be brought about as speedily as many people think. The intemperance and waste so noticeable amongst the Maori landlords of Hawke's Bay are matters much to be regretted; but, in my judgment, it is not part of our duty to stop eminently good processes because certain bad and unpreventable results may collaterally flow from them, nor can it be averred that it is the duty of the Legislature to make people careful of their property by Act of Parliament, so long as their profligacy injures no one but themselves. It is well that all the money squandered by the Maori landlords is spent in the place whence it is drawn. Education will cure the evil, for drunkenness is the vice of the uncultivated and brutish man.

I will take this opportunity of expressing my complete satisfaction with the Act of 1865. I never expected, nor, I think, did the Legislature expect, that it would have worked with the wonderful ease which has marked its operations. The preliminary notices and other cautionary processes authorized by the Act, have been long since nearly abandoned, and are now very rarely used. I am not aware that our operations in any single instance have excited apprehension in the minds of the Government, or caused them one moment's anxiety. Indeed, so regular and uninterrupted has been the course of proceeding, that I have been sometimes inclined to think that the vast change that has taken place in the history and status of Native land, and the views of the Maoris with respect to the Government on this great question would not be sufficiently appreciated.

The greatness of such a change might not be recognized, whose commencement and progress are distinguished by nothing but quiet. The entire submission of the Maoris to the decisions and orders of the Court is a feature of most encouraging promise. The first claim that William Thompson brought into Court was rejected, and an order made in favour of another, but he silently acquiesced. Indeed, I know of no case where any feeling stronger than that of temporary disappointment has been shown by suitors on the loss of a case, and occasionally we have had to resort to strong measures. In New Plymouth we sent a Maori to the gaol for twenty-four hours for prompting a witness. In Hawke's Bay Te Hapuku was forcibly ejected from the Court for disorderly behaviour; and in Auckland chiefs were handed over to the constables for contempt, but in no case was the slightest sympathy shown by their fellow countrymen, and in each case a public apology was made. I should add also that each case sprung from the same cause—drunkenness.

If any legislation takes place this session, I would suggest the following alterations in the Act, though they are not of sufficient importance to call for change on their account alone:—

Clause XII. For "two" insert "one."

Clause XLVI. Declare that the second "therein" in the fifth line applies to the grant and not to the certificate.

Clause L. For "five" substitute "two."

Clause LV. In third line erase "lessee" and insert after "vested" in the fourth line "and by every lessee," and afterwards after "by any lessee" the words "an annual sum."

Clause LXII. Add a proviso that it shall be lawful for the Chief Judge from time to time to fix additional fees, and to alter those fixed by the Act, which scales of fees when so fixed or altered and approved by the Governor in Council shall be collectable and enforceable as if inserted in the Act.

Clause LXXIV. Enact that the execution shall be sufficient if made in the presence of the Interpreter and another witness, and the declaration shall be subsequently made before a Justice of the Peace or a Judge of the Court.

The last alteration would be very advantageous, as it is very difficult and expensive to get all the grantees together in the presence of a Justice and an Interpreter, especially in remote parts of