

702. How were these purchases conducted? What was the method?—The Native Land Court was not in existence at that time. The officer of the Government who was purchasing the land would go upon it along with the Natives, and view the boundaries. I am speaking of the lands that were dealt with by my hapus. In many instances no surveys would be made. Then, sometimes, if a survey would be made a purchaser would go upon the land and see the boundaries.

703. What then?—Then the payment would be made. But are you inquiring as to what there was paid for the land.

704. No. What I want to know is the mode of dealing between the Europeans and the Natives who conducted the negotiations—whether it was public or private—talked over with the people or not?—The whole matter would be first discussed in public before the people, and then there would be no trouble from that day till this over this purchase. The terms would be discussed, the price arranged, the payment made, and the document would be signed.

705. Now, when payment was made, was the payment portioned out by the Government officer, so many pounds and shillings being handed to each person, or was the money left to the chiefs and the representative people to distribute?—The money would be laid down in a lump in the presence of all the people, and subsequently it would be disbursed amongst them. The Government purchaser in those times was Henry Kemp.

706. Was it according to Native custom that each individual claimed a distinct portion of the land, such as now obtains on the subdivision of the land amongst the individuals of the hapu—the men, women, and children?—The land belonged to the whole of the hapu, the descendants of the ancestor. The land would belong to the hapu who were in possession of the soil; but these people when they got the money might give some of it to some remote connections that had branched off some three or four generations previously, and to people who were living in different places. There are cases in which the money would be given in that way to people who were of importance through their descent in other hapus, or, being big people and connected with the sellers of the land, they would get some of the consideration. But people distantly connected and of an inferior position would not be regarded. In the case of a person who was two or three generations removed in relationship and who lived at a distance, he, having maintained the chieftainship of the hapu, would be right in coming to these people and saying, "Give me a portion of the money." He would have that right on account of his position as chief, but, if he were a man of no importance and who had attained no important position, he would not have the right or courage to go and ask for anything.

707. Now, since 1875 have you been continuously an Assessor?—Yes.

708. Does the Native Land Court work as swiftly and as surely now as it did in 1875, when you joined it, or is it slower in its operation now?—When I first became an Assessor of the Native Land Court the work was done much more easily and much more expeditiously than it is at present. Then, numbers of blocks could be put through the Court in two or three weeks, whereas now it takes two or three months to put one block through; and if it is a question of title to be investigated the work is at the present time very bad, because many grounds are hunted up and sought after so that the Natives themselves may exclude their own relations from the ownership of the land. And it is the increased knowledge of the Natives that causes this. They know more, and they make and get reasons for prolonging the case. That particular species of knowledge they have acquired from the Europeans. That is my idea. In former times there would not be these great delays. Spokesmen would be chosen, they would say what they had to say, and the case would be determined.

709. Do the Natives suffer now from being brought to the Courts from distant places—to attend sittings of the Court far away from their homes and cultivations?—This is a very grievous cause of hardship and inconvenience to the Natives. I think it would be better, if the Commissioners intend to go to the Bay of Islands, that I should reserve what further I may have to say until they get there.

710. I dare say you would like to speak in the presence of the people?—What I would like to ask in the first instance is, will the Commissioners go to the Bay of Islands or not?

711. Yes, we propose to go there?—Then I would prefer to say what I have to say before the Commission there. I would like that word should be sent to the principal people up there who would attend the Commission and give evidence, so that they might have time to prepare, and not be taken by surprise.

712. *Mr. Mackay.*] What are their names?—Wiremu Katene, who lives at Te Ahuahu, Waimate; Hete te Haara, Ohaeawai; Honi Mohi Tawhai, Waima, Hokianga; Hoterene Maihi Kawiti, Waionio, Kawakawa; Te Maanga, Papakia, Hokianga; and Eparaima te Mutu, M.H.R. Wi Katene and Heta could best fix the place of meeting. There are many important matters that I and my hapu are interested in and which we wish to speak about. The general bearing of our disputes is between us and the Government. There is also a large number of complaints that the people have to make with regard to the Native Land Court generally; but perhaps I had better reserve that until the Commissioners reach the Bay of Islands. I am going there myself.

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AUCKLAND, 19TH MARCH, 1891.

FRANCIS DART FENTON (examination continued).

713. *Witness:* You asked me about the Heretaunga Block. Some years ago Mr. Rogan was stationed at Gisborne by Sir Donald McLean, and I received instructions merely to do such formal acts as the statute required. Mr. Rogan and Sir Donald McLean would take and manage that district. I had very little to do with the East Coast. Mr. Rogan used to send me up cases to be published, and formal papers for me to give effect to. I used to do simply the formal things which the law required from the Chief Judge as administrator. That is pretty nearly all I know. I