

*Mr. William Henry Grace :* I am a licensed interpreter, and I may say that I have been acting as such since 1866, having been amongst the first to be appointed. Since that time I have been brought into frequent connection with the Native Land Court at its sittings in various parts of the colony, and I have also appeared before the Court as a *kaiwhakahaere* (Native agent) in many instances, on and off. First of all, I would like to state how matters are conducted before the Native Land Court. From the earliest time the Judges of the Native Land Court have always found that intelligent *kaiwhakahaeres* were absolutely necessary. They were of assistance to the Court in ascertaining the title to the land which the Court was engaged in investigating. The Natives, if left to themselves, do not understand how to bring their cases properly before the Court, the consequence being that the Judges of the Court had really to be *kaiwhakahaeres* as well as Judges; and that has the effect of prolonging the proceedings very much. I have been in the Court when Natives have brought their cases before it unassisted by *kaiwhakahaeres*. And one of the Judges at the time I speak of was Judge Fenton. The Natives made such a jumble of their business that Mr. Fenton turned to me and asked me if I would not, with the assistance of some other intelligent man, take up these cases, and lay them before the Court in an intelligent way. I did so, and the consequence was that the time of the Court was very much economized, and it was enabled to get through its work satisfactorily. The Natives had wasted a whole day before that. If *kaiwhakahaeres* are abolished, one hapu may have a very intelligent man amongst them, while the other contesting hapu may not. The consequence would be that the hapu which were fortunate to have the services of the intelligent individual would have things all their own way in the Court, and the other hapu would be placed at a great disadvantage. Under these circumstances I say that *kaiwhakahaeres* are really wanted in the Native Land Court, and I think the system now in vogue of licensing *kaiwhakahaeres* is an admirable one. Of course, as things are now, only men that are recommended, and that are known to have a thorough knowledge of Native matters, are allowed to appear. I shall now proceed to the consideration of the Native Land Acts. With respect to these, in my opinion the Native Land Act of 1865 was about the best Native Land Act that ever was passed. The only fault to be found with that Act was that no provision was made for the tribe. Had some provision been made for the bulk of the people the ten owners in each block who were put in the grant could have acted as trustees; and some provision ought to have been made for the tribe. I say that, in respect of transactions with Maoris under the present system, where there are, say, a hundred owners in a particular block, it would be an advantage if a few individuals could be made to transact the business for the entire number who were interested. Some provision should be made to see that the people are protected, because when the power goes into the hands of a few individuals they are liable not to act quite honestly. Therefore, perhaps the Government could arrange in some way or other to have somebody to see that the bulk of the Maoris get their money. With respect to past transactions, I consider that all honest transactions ought to be made valid.

*Mr. Rees.]* You mean that in cases where they are merely technically wrong through some formal omission?—Yes. But where the transactions are of such a nature that that cannot be done, then some permanent Commission should sit and put them right. All the present Native Land Acts should be wiped out, and a new Act passed giving power to adjust all wrongs of the past; for, as the Acts are now, no one can understand or interpret them—they have become so complicated by amendments, &c. I think there ought to be absolutely free trade in Native land—that is, the Maoris ought to be allowed to do just as they like with what they have. I know from my own knowledge that the Natives prefer this; so that if they get into trouble they get into trouble by their own acts, and not by the acts of others. I do not think I have much more to say. I forgot to speak about Native Committees. Under the District Committee system I know that these Committees had power to make investigations into Maori titles; but they have never been able to ascertain a title. They have themselves held a kind of Court over various blocks; but they never could come to a settlement of the matter in dispute. I have known them to sit for three months over two or three acres of land, and at the end of the three months they had done nothing. The people who took their cases before them were not satisfied with their decision. They always found, or reckoned, that some individual on the Committee was biassed, and therefore I say a European Court would satisfy the Maoris far more than a Maori Court. Hence the Native Land Court is absolutely necessary in any case. That Court cannot be abolished, because there must be some tribunal to investigate titles to Maori land.

*Mr. Carroll.]* When you say you think that absolute free trade should be allowed in the disposal of Native lands, would you go so far as to affirm that any one should sell his land if he so wished it?—Yes; a Native should be allowed to sell his land if he wished to do so.

Even if he holds it jointly with ninety-nine others, and it is undivided?—If it is to his interest, let him sell it if he pleases.

In the event of a Maori selling his undivided shares in a block, what title would you give the purchaser?—I would get the interest defined, and then let a title be got under the Land Transfer Act.

Would it not be better to get the interest defined first, before entering into any transactions?—It is the duty of the Court to define the interests under the present system. If you are going to leave matters alone until the Native takes it into his head to get his interest defined, it will never be done. He will never move in the matter.

Then, after the Native has had his interest defined—not individualised—in a block of land, you will let him sell to the pakeha. Then, what position is the pakeha in?—The pakeha is in the position of being able to apply to the Native Land Court for the piece of land of so many acres to be cut off for him.

Then, do you think, if the onus of procuring the subdivision of that share were left to the pakeha, that in coming to terms with the Maori for his share the pakeha would give its equivalent in money?