

litigation going on?—That is so, and, in addition to that, the bank is relieved from any responsibility as mortgagees. That is a big item for consideration, so far as the bank is concerned.

168. The title that the bank held, was it not a better title than the one the trustees had to offer to any lender in the past?—By virtue of its mortgage. The power of sale it had through its mortgage may have given it that extra advantage, but nevertheless there was an unsatisfactory odour about all those titles.

169. I think you admitted that to be the case—that you found that defect in your title to be a stumbling-block in all other mortgaging of the property or selling it in order to redeem it?—Yes.

170. And the object of the Bill now is to remove that doubt—to enable you to give a clear title to any one who either lends money to you, or who wishes to buy it?—That is so.

171. *Mr. A. L. D. Fraser.*] Can you say approximately the number of beneficiaries there are in all those blocks?—No, but there are a great number.

172. Would a thousand be an exaggeration; or five hundred?—There would be a thousand.

173. You would say that there are a thousand beneficiaries?—Yes.

174. Under the Act of 1901, it must be at the request of the majority of the owners that the land is handed over to the Council. You and Wi Pere propose to do it without consulting the majority of them?—We are trustees; we are acting on their behalf.

175. You do not consult them at all?—We must.

176. Do you consult a majority of them?—We always have done so.

177. Have you consulted the majority?—I do not suppose we have. Those matters are matters of public notoriety.

178. *Hon. Sir J. G. Ward.*] Regarding the validity of the titles to the bank. The bank's title is beyond all question. It is under the Land Transfer Act. If the mortgage were paid off, and the land reverted to the Natives, would the title then remain as valid as it is now with this Bill?—They would not be able to borrow to relieve them.

179. They could not borrow anything because they are Maoris?—No.

180. Then, the proposal to ask Parliament, under this Bill, to render the security valid beyond all question is to get over that difficulty?—That is so.

181. Upon the question of the Maori Councils. As the question has been introduced into this matter it is unavoidable to ask questions. You have been pretty well all through the North Island in connection with Maori Councils for months past: what has been your experience of the Natives being disposed to place their lands in the hands of the Maori Councils?—The majority of them are so disposed.

182. Then, by this Bill, excepting the actual land which the trustees now represent in other blocks, is it a compulsory force to come under the Maori Council's administration?—No.

183. *Mr. A. L. D. Fraser.*] Is it not a fact that there have been numerous objections sent in, signed by hundreds of Natives, protesting against the Maori Councils? Is it not a fact that they are in the possession of the Government at the present time?—There may be one or two; but, even then, I have satisfied myself by personal contact with the Natives all round the colony that the majority are in favour of the Council.

184. You are satisfied that that is so?—Yes.

185. *Mr. W. Fraser.*] *Mr. A. L. D. Fraser* said that the title of properties could not be vested in the Council except with the consent of the majority of the Native owners, according to the Act of 1891. Well, if we pass this Bill with the word "Council" only in it, and that consent is not obtained, what is the position?—That does not affect the bank at all, except the Natives who want relief on these blocks. If the Validation Court gives them permission, or approves of it, it is only then it can be done.

186. Who would be the governing body if the Council has not got the control—if the trustees are divested of the power, and the Council cannot get it?—The present power is in the hands of the trustees. They have been duly appointed in regard to these outside blocks. The trustees can go to the Validation Court and submit proposals for these outside blocks. It may be that the trustees remain in. Everything will be subject to the approval of the Validation Court.

187. *Mr. A. L. D. Fraser.*] The trustees, without consulting the owners, can hand these lands over to the Council?—They represent the owners.

188. *Sir W. R. Russell.*] Would it not be advisable that the residue of the lands should be vested upon the Natives by individual title in settlement of all claims?—Yes.

189. Would it not have been advisable to have done something in that respect in introducing the Bill?—That can be done, and, I think, will be done in the event of those lands being relieved, the bank paid off, and everything carried out as desired.

190. Then, the titles will be individualised?—Yes, if it is to the advantage of the beneficiaries.

191. Then, do I understand that the residue of the estate after realisation—if there is any—will be vested in individual Natives or hapus?—Yes, that must follow.

192. Although you make no provision for that here. I am looking at the character of the lands—Paramata, Mangaheia, and those blocks. If those blocks are saved, or any portions of them, they are of that character that individualisation would be the best thing. Would not the individualisation be at variance with the Maori Councils Act?—No, not necessarily, because one of the chief principles in the Maori Councils Act is to individualise for papakaingas. So, if there is any residue in this estate—any residue saved at all—well, one can presume it will be permanently saved.

193. Would you consider the question as to the necessity or desirableness of including a clause in the Bill to provide for individualisation?—It might overload the Bill with matter foreign to it at present.

194. Is there any provision whatever in the Maori Lands Administration Act of 1890 and the amendment of 1891 for the Council ever returning the lands to the Natives?—I think there is. Whatever is done with those lands handed in to the Council they will be subject to conditions and provisions not at all contained in the Maori Councils Act. For instance, the power to sell is not in the Maori Councils Act.