As the existing leases before referred to do not expire for some years to come, nothing can at present be done with the major portion of the land. We believe that the land held by Messrs. Nelson and Prescott, being near the Takapau Railway-station, is suitable for small settlement, and most of the Natives are willing that at the end of the leases the land should be subdivided into sections and leased by auction to the highest bidder for terms of years. Having little land elsewhere, they are exceedingly anxious that this land should not be purchased by the Crown, and also that no Natives should be allowed to part with the land, and that the land should be made absolutely inalienable unless an Act of Parliament gives them power to sell. We think that their requests are to be viewed with approval, and we recommend that effect should be given to their wishes.

There were two owners who own two or three hundred acres in the block who were anxious that their land should be partitioned at the end of the lease, in order that their children might occupy it as farms. The leases have so many years to run that it is at present unnecessary to deal with that aspect of the question.

Therefore, except as to Sections 2, 8, 10, and 11, we recommend that the land should not be alienable by sale, and also that the present existing leases should be allowed to expire before the land is leased, and that when leased the land should be subdivided up into small sections and offered for lease by public auction, one person being allowed to hold only one lease.

More Invalid Leases.

At the sitting of the Commission to consider these two blocks, Mr. A. L. D. Fraser, M.H.R., brought before us the fact that the Boards had properly refused to sanction many leases in other blocks on the ground that the declaration required under section 26 of "The Maori Land Administration Act, 1900," had not been made. It appears that some legal advisers had advised their clients that this declaration had become unnecessary through the passing of section 16 of "The Maori Land Laws Amendment Act, 1905." The question came before the Court of Appeal in March last, and the Court decided that there was no foundation for such an opinion, and that section 16 did not purport to repeal the provisions of section 26 requiring that the declaration should be made by an intending purchaser or lessee before his transaction could be sanctioned by the Board: See Higgins *v.* Te Ikaroa Maori District Land Board (26 N.Z.L.R. 205). We are informed that many of the intending lessees had no other land, and they could have truthfully made the declaration, but as the section required that the declaration should be made before the lease is executed, there is no power for them now to make the necessary declaration unless they went to the expense of re-executing the leases. Though we are loth to recommend that invalid transactions should be cured by legislation, yet we think that this might be a case in which the Legislature might allow the declaration to be made now. This case also shows the need of the Legislature being careful when it uses general words, as it did in the amending Act, to see that they are carefully limited, because of the aptitude of some people to attribute to the Legislature intentions not expressed in statutes.

We may add that there is much need of this section 26 being recast, so that land-monopoly may be prevented.

We have the honour to be,

Your Excellency's most humble
and obedient servants,

Robert Stout,
A. T. Ngata,
Commissioners.

Wellington, 16th August, 1907.