

(5.) *Whether the said purposes could be best provided by leasing the lands so set apart or permanently reserved, or any and which of them, on leases of long tenure, and by applying the rents and profits for the said purposes.*

An overwhelming majority of the Natives who appeared and gave evidence stated that they did not intend to personally occupy the lands allotted to them, and several schemes of administration were suggested, such as—

- (a.) The creation of a Maori Board with powers of leasing.
- (b.) That the reserves be administered by the Public Trustee.
- (c.) That they be administered by the Commissioner of Crown Lands for the district in which the reserves are situated.

Fully 90 per cent. of the witnesses favoured the last-named proposition, for the reason that the Commissioner of Crown Lands has the requisite staff and machinery to carry out the necessary work at a minimum cost.

We deal more fully with this aspect of the question in our general recommendation.

(6.) *Whether any, and if so what, lands not vested in the Public Trustee have been set apart or reserved in the Waikato-Maniapoto Native Land Court District for the benefit of landless Natives, and in what manner and by what means such lands may be best made applicable for the purposes for which they were so set apart or reserved.*

In this connection we applied to the Commissioner of Crown Lands, Auckland, for a return of any such reserves, and we were furnished with a list of lands (see Schedule A in appendix hereto) which have been marked on the map in the Auckland District for many years as being "required for Natives." We feel, however, considerable doubt as to whether such reserves come within the scope of our inquiry.

From the evidence tendered, and from a search of old files in the Survey and Native Land Offices, it would appear probable that these lands were set aside under the provisions of the New Zealand Settlements Act, 1863, and its amendments, and the Waikato Confiscated Lands Act, 1863, and its amendments of 1882, for the use of ex-rebels, under certain conditions of occupation.

The evidence of witnesses shows that some of these lands have been occupied by the Natives under promises made by various Government officers, such as Mr. Bush (late S.M.), the late James Mackay, and the late George Wilkinson, Government Native Agents, while others have been lying idle for forty years and are becoming overgrown with noxious weeds. The Natives who are in occupation are desirous of having their holdings individualized and titles issued in order that they may protect their improvements. By section 11 of the Native Land Amendment Act, 1912, the Governor is empowered to have inquiry made as to who are the beneficial owners of the reserves, and in some cases such inquiries have already been made by Judges of the Native Land Court, and the individual shares ascertained. It would appear, however, that at present there is no power inherent in the law to complete the matter by the issue of certificates of title.

It may not be out of place for us respectfully to suggest that further legislation is necessary to deal finally with this subject, and should such a suggestion be given effect to, the following proposals would probably cover what is desired, viz.: The Commissioner of Crown Lands at Auckland should have an inspection made of all the reserves mentioned in Schedule A, and of any other lands which come within the same category, to see which have been occupied within the terms of the Acts mentioned. Lands found to be occupied could be referred to the Native Land Court for individualization, as provided in section 11 of the Native Land Amendment Act, 1912, with an additional clause empowering the issue of titles. The other reserves, with which nothing has been done, could then be freed from restriction, and treated as ordinary Crown lands to be offered for settlement.

Should titles be granted to the Natives, it would be well to impose restrictions to prevent alienation by sale or mortgage, as it was brought under our notice that in some cases the Natives had already made arrangements to sell their interests to pakehas, as soon as they were in a position to do so.