

number of persons. The roads must follow the natural features of the country. You cannot cut up a block of land like a chess-board.

17. If, in the large blocks, it was attempted to individualise—not for hapus, but for each individual—would it be possible to so allocate the areas as to allow of frontage being given to roads?—I think not. You see by law that if a man has half an acre he must have a road too, and I believe that all roads must be not less than a chain wide. Suppose a man was a mile back, he would want a road a mile long and a chain wide to get to his section, so, in that way, a great deal of land would be absorbed in the laying-off of roads.

18. That would be 80 chains—8 acres—thus absorbed?—You are aware that the Crown reserves to itself the right to take 5 per cent. for roads. The Crown does not confine itself to roads a chain in width, so long as it does not absorb more than its 5 per cent.

19. According to the custom of the Natives, is it possible to individualise the land—that is to say, supposing any hapu or tribe owns a block of land, can you, according to Native custom, say what each individual is entitled to?—Yes; the old cultivations.

20. Would not that belong to a family?—The owner might be the only representative of the family.

21. Take any ordinary block of land: could you proceed according to Native custom and state what every individual man, woman, and child owned?—I think not, according to general lines. They would own in common; they would not own in equal shares.

22. You could pick out what a chief owned, and say that is his particular land?—Say, an ancestor. There may be chiefs who have very little land.

23. Then, the individualisation must impart something beyond Native custom?—Yes, it must.

24. If you cut up a 20,000-acre block and divide it among the owners—men, women, and children—you must impart something beyond Native custom?—Yes. I think it necessary to do so, in my own private opinion.

25. *Mr. Mackay.*] What was the custom before the Native title is extinguished, and afterwards, when they get the Court to confer a title?—Then they can individualise.

*Mr. Rees:* The proceedings of the Native Land Court impart something beyond the Native custom. The law allows the individualisation, Native custom and usage being the basis of the inquiry.

26. Now, with regard to the present system of getting signatures, including the cost of interpreters' and agents' charges, is it not an expensive and cumbrous method of dealing?—Yes.

27. And attended with difficulties, mistakes, and sometimes frauds?—Man being human, there must be errors and mistakes.

28. Do you think that any portion of the ascertainment of the title could be devolved upon Native Committees or runangas?—I think the Native Committees might be utilised as to reporting on the nature of the title to the Native Land Court; but the difficulty I see is this: Local Committees might have a tendency to favouritism. To follow the thing out, the Committee should be selected from another district.

29. No doubt. Do you think, then, that if experienced men of different tribes were selected that they might then be available?—Yes; but that system would be very expensive. If the Committee would confine itself to informing the Court of the family boundaries, giving the names of the boundaries, that would be of great assistance to the Court. I think that when the names had to be given in that is where the favouritism would be imported.

30. You think that the boundaries might be given, but not the names?—Yes.

31. Do you think that the present system of the Native Land Court in regard to its holding its sittings is as effective as it could be?—Decidedly not, and if you will allow me I will give you a few reasons why I think so. First of all, the Judges, I think, should be resident. I think by making the Judges resident, and giving them a suitable staff, the cost of administration would be lessened very considerably. Now, the Judges and officials are travelling all over the country. This entails the payment necessarily of large sums for travelling-allowances. Then there is the carting of the books about, the time wasted in travelling from place to place, besides the great risk that is run of losing documents. That is one thing. Then—excuse my speaking out—there is the interference of Parliament—the interference of Government, and Parliament, and interested parties, and to such an extent that the Judges appear to me to be almost afraid to do their duties. They allow the proceedings of the Court to go on, and should any person be stopped from speaking or tendering evidence, down goes a petition to Parliament, or to the Minister of the day, showing that the complainant or his people were not allowed to speak. That is the reason why I think the cases take up so much time now in the hearing.

32. *Mr. Carroll.*] Regarding what you say about districts being assigned to Judges?—There should be districts defined throughout the colony, and a Judge ready at all times to do the work, and, as the work accumulates, the Registrar, as time required, should duly notify the same. I think myself that there would be great advantage in having Judges permanently located in districts. By this means the Judge would have the opportunity of getting a good knowledge of his district. The customs of the different tribes in the different parts of the Island vary. There is no hard-and-fast rule throughout the colony as to Native custom.

33. *Mr. Rees.*] Do you think that would increase the efficiency of the Court and lessen the cost?—Yes. Above all, I think the Judges should be free from political control and influence or Government interference. It is that Government interference which I think tends to lengthen the hearing of the cases, both in original hearings and in subdivision cases.

34. Does that interference of the Government and the Legislature have any influence on the minds of the Natives?—It has influence in this way: They think that if they lose a case they can have it set up again. It leads them to the belief that the decisions of the Court are not final, and that pressure can be brought to bear.