When a certain case was called on, the man in whose house the Court was sitting called out, "If you take that case I shall jump on the table." I thereupon adjourned the Court to Waimate, much to his astonishment, and heard the case there.

865. What is your opinion and experience in regard to the itinerant character of the procedure of the Court—that is, of the Judges proceeding from place to place? Do you think it would be any improvement to have fixed stations and fixed districts?—I do not think it would. I think the present system is better.

866. Why?—Because it often happens that another Judge comes into the district. He would not hear remarks made by Natives and other persons upon his previous judgments; and I think the Natives have more confidence.

867. You think that the continued residence of the Judges among the Natives would be likely so to raise up a feeling of prejudice or favour as to render their judgments weaker?—I think it would, in the minds of the Natives. They are a very suspicious people.

868. Do you think that any of the work of fixing tribal or hapu boundaries could be with advantage relegated to the Maori Committees in the first instance, or public meetings—runangas?—I do not think so at all. I have not the slightest confidence in Maori meetings. My experience is quite the other way. It is very often advantageous to adjourn a case for a day to let them talk the matter over amongst themselves, but, as to any Committee doing any practical work, I think the idea is quite utopian.

869. Do you not think it would be better if, instead of, as you say, the Court adjourning for a day, the contending parties were expected to bring up some scheme to the Court for the Court to decide upon, and that in this way the work might be simplified, leaving the final appeal to the Court?—There might be one or two cases in which that might answer, but the Natives are very jealous of interference by any one.

870. You know practically little or nothing regarding disputes which exist between Natives and Europeans?—Practically nothing.

871. As regards the subdivision of land amongst the Natives, do you consider that it is wiser to subdivide the land amongst the Natives or to deal with the land in larger blocks by the rights of hapus or tribes?—Do you mean by "subdividing" the individualisation of title?

872. Yes?—Well, this individualisation of title is a very difficult and complicated question. I do not think any one has yet been able to devise a satisfactory scheme of dealing with it. I think it is likely to do a good deal of harm.

873. That is carrying to an extreme the individualisation of Native land, I suppose you would say, by reason of the expense of surveys, and the loss of time, and the cutting-up of unsuitable blocks?—Yes; it would eat up the whole value of the land. There would be nothing left at all—chiefly, of course, by reason of the survey-costs?

874. I suppose that would be the heaviest item?—Yes, very considerably.

875. Then, there would be the Court-fees, as well as the survey-fees?—Yes.

876. But then, if it were cut up in accordance with tribal and hapu rights would it be likely to be cut up advantageously for settling individuals on? Supposing there were 150 owners in a block, and you cut it up into 150 portions, striving to keep to the hereditary rights of the parties, would it be cut up advantageously?—I doubt very much whether it would, in the case of Native land of inferior quality.

877. Take the rough country on the hills, for instance?—Just so. Speaking of the individualisation of title, I have not the Act here, so I cannot point out the section, but I think it is section 12 of the Act of 1888, which requires not more than twenty owners to be in a certificate, if that is possible. The relative interests are also to be defined. This is followed by a subsection which renders it compulsory on the Court at the next sitting to divide the land without any application on the part of the owners. I think these are very bad sections.

878. *Mr. Mackay.*] In fact, inoperative?—Practically inoperative, but they are bad.

879. *Mr. Rees.*] If carried into effect they would be pernicious?—I do not think the land of any person should be subdivided against his wish.

880. So far as you have any knowledge of Maori custom, is it in accordance with Maori custom to cut up the land between the men, women, and children of the hapu?—Certainly not. They have no idea of it at all.

881. *Mr. Mackay.*] It is the exception, and not the rule?—Altogether.

882. *Mr. Rees.*] Judge Fenton gave us an instance where an individual Native title existed. A man claimed from his wife's tribe *utu* on account of her adultery, and her people then cut off a piece of land as payment for the aggrieved husband. Although Judge Maning thought that was the only instance, Judge Fenton knew one or two instances; but these were the only two in which an individual title was held?—I have had no case of that kind at all.

883. Then, the custom of the Maoris is to hold the land either tribally or by hapu rights?—Yes.

884. And the hapu would be the unit?—That is so.

885. Can you suggest any points in which the practice or procedure of the Courts might be amended advantageously?—No; I do not see that I can, unless it is possible to compel witnesses to speak the truth.

886. Independently of those sections of the Act to which you have referred as regards the individualisation of the title, can you suggest any other points in which the law might be amended?—There is one other point that occurs to my mind. It is a matter of succession orders. Only, unfortunately, again I have not the Act, and I therefore cannot quote the section. I think it is in the Act of 1886, which provides that a succession order shall take effect on the day on which it is made. It should take effect, as in a previous Act, from the death of the party to whom the applicant succeeds.