1083. That is owing wholly to the state of the law?—Solely owing to the state of the law.

1084. Now, of course you are not acquainted with the ancient method of dealing with Native land, where the dealings were made in public by all the people, and the chiefs received the money and distributed it?—I have been present at some of these transactions. There is the case of a large block at Raglan, which I negotiated, and in which Messrs. Studholme, Young, and other people were the lessees. That was arranged in the presence of all the people interested.

1085. In your opinion, as a professional man, which is the safer method of dealing in Native land—dealing with the Natives individually, or in public with the whole people?—Well, in dealing in public you cannot be certain that you have got every Native there.

1086. But supposing that you have?—How could you be certain unless the Native Land Court had first ascertained the title?

1087. I mean, the title being ascertained?—After the title has been ascertained, and there is a public meeting, I have very seldom seen the Natives attempt to repudiate. They are much more honest than Europeans, unless there are Europeans behind them who spur them on. Of course, the system of the Native Land Court is wrong—that is to say, the system of giving the Judges and Clerks so much a day as long as the business of the Court lasts. In the opinion of many people it tends to lead to the prolongation of cases. I do not make any insinuation, but speak merely of the principle. I have seen Courts adjourned for four or five days—sometimes a week—where a little bit of push on the part of the officials would have brought the contesting parties together and secured a settlement. But while the Judges are getting a guinea a day maintenance-money—amounting in some cases to two-thirds of their pay—they will be content to let things go on in the fashion I speak of.

1088. *Mr. Mackay.*] They are only getting 12s. 6d. a day?—That is now. I do not say that they should not have their actual expenses. They should be allowed their cigar and glass of sherry or beer, but it should all appear. I do not believe in the present system of travelling expenses. Though the men do honestly enough what they have to do, it deprives them of any incentive to exert themselves. Look at the Court at Marton. It has been sitting since June last, and will continue to sit until the Natives are sucked dry—until, in fact, they have got no more money to spend. I think also there is not enough discretion left in the hands of the local Magistrates, who should be associated with the Native Land Court, where, especially: it is a case of Maori subdivision, where the magistrate is personally acquainted both with the district and the Natives. In a great many cases, instead of having a sitting of the Native Land Court, with all its attendant evils of drunkards, card-sharpers, and camp-followers present, the local Magistrate—such men, for instance, as Mr. Bush, Mr. George Preece, Mr. Bishop, and Mr. Booth, who know every Maori in their respective districts—could with advantage deal with them, and, in non-contentious cases especially, could easily and expeditiously dispose of them—his means of ascertaining all the owners being greater than an itinerary Judge; whereas, if the individual is left to his own resources, and has to work under the present system, perhaps three years may elapse before he gets his title. That is especially the case where succession orders are being taken out, as the Natives are dying off very quickly. I can mention a case at the Kaipara—any ordinary Judge of the Court would have passed the claim—where, before Mr. Clendon as Recorder, and who was also the Resident Magistrate, a Maori claimed the succession, swearing he was the true successor to the land, that he was the brother of the last owner, and that his brother had left no children. Mr. Clendon, knowing the wife of the deceased man, and that she had borne children to him, let the Native go on with his statement, and then said, "Did not your brother leave two children, who are alive and living with their mother's people, the Ngapuhi?" "Yes," replied the Native, "I had forgotten all about that." Now, there, Mr. Clendon, from his personal knowledge of the district and of the Natives, stopped this Maori at once. He said, "I shall not commit you for perjury, but I want the Natives to know distinctly, if they lie like this they will be committed." I believe the Judges of the Native Land Court should themselves go on to the particular blocks of land in respect of which titles are being adjudicated. I have seen cases in Court in which a Native has been clever enough in repeating boundary names to work out his points, and have them taught outside to those who are acting with him, and then these Natives will come into the Court and swear to the minor features of the plan, although they had no more knowledge of the land than I had. If, however, the Judges camped on the ground itself, a great many of the men who now lie so glibly, pointing out on the plan the various *wahitapus*, and old cultivations, and pas on the block, would not be so ready to do so.

1089. *Mr. Rees.*] A great many of the leading Natives have stated to us that the Maori Committees and Maori runangas could settle the tribal and hapu boundaries by talking among themselves, only leaving a very few cases in dispute for the Court to deal with. Do you think they could do so?—I think they could if they could have some European to smooth the way for them—if there was a Judge to call the contending parties together, to guide them in the matter, and acting more in the capacity of a mediator or arbitrator. He himself would be much better prepared, under such circumstances, to pronounce a decision than he would be in a great many cases I have seen in Court, as in meetings like this he would arrive at the truth where the Natives who were fighting were descended from the same ancestor. Where it is merely a case of members of the same family disputing what parts of the one block they should have, a Commissioner travelling with the Natives could settle nearly every such dispute. I may say that I saw this instanced at the Thames once, when Mr. James Mackay was dealing with a dispute between the Ngatipaoa and the Ngatimaru. It was with reference to land somewhere near the Piako. He got the leading people together, and the case was settled in a week; whereas, with the money they had and the expense they would have gone to in the feeing of lawyers—who, of course, trying to do their best in the interests of their clients, get all the evidence they can, in many cases quite superfluous—only tends to prolong the case.