son who has been concerned in Native dealings must know that. What will become of the reserves ultimately?

1114. They will vest ultimately, no doubt, in the Government for the educational requirements of the public at large; which would be a thing much to be desired?—That would be a desirable thing. At present the Natives have large areas of land, and they would not miss a few thousand acres, nor would they grudge them for such a purpose.

1115. Do you think that the fees which the Natives have to pay in the Native Land Court are unfair or unfair?—The Court charges the Natives more than the Supreme Court charges a suitor. The Supreme Court suitor starts his suit with an expense of £1, and 2s. 6d. an oath. The Natives are charged £1 each party per diem.

1116. *Mr. Mackay.*] The reason for that is to prevent unnecessary and irrelevant evidence?—In some cases I have seen some of the Natives absolutely compelled to leave the Court because they had not the money to pay the fees, although their claims were as good as those of the other Natives before the Court.

1117. *Mr. Rees.*] And they lost the land in consequence?—Yes. There was a rule requiring them to pay £1 a day, and when the case lasts for months, as nowadays many cases do, it becomes a serious matter with the Natives.

1118. *Mr. Mackay.*] What would you suggest as a means of repressing irrelevant evidence?—If the Judges had sufficient knowledge, and there was firmness on the part of the Bench to stop the Native from wandering in his evidence and to keep him to the point, no other means would be needed. I have seen some Judges who, from the time of their entering the Court in the morning until they left it in the afternoon, never asked a question nor looked even at a witness. The whole business of the Court was done like a machine. Whether the Judge was asleep or not I do not know, but here was the interpreter translating the evidence as it was given, and there was the Clerk taking it down, and between them the whole proceeding appeared to lie. That was at Maketu. In that way the business went on, until at last the Maori gave in, saying, "We might as well be talking to a stone. We will settle the case ourselves." They were actually wearied out.

1119. Then, would you say that the operation generally of the Native Land Court is unsatisfactory?—Yes, very unsatisfactory.

1120. *Mr. Rees.*] You think that the Natives themselves, if allowed to do so, could settle many of their tribal and hapu boundaries, and that where there were disputes the local Judge, if he took the trouble to go on the land along with the contending parties, could settle them in that way?—A great many of them. If Resident Magistrates who know the Natives and the language, and are mixing amongst them day after day, and were appointed to this work, and the Natives knew these men were appointed by the Government to start business in their little Courts at any time, these cases would always be settled and would be settled, one by one. The Natives now regard a Native Land Court sitting as a sort of big tangi. Numbers of people come to it who have no interest whatever in the land, but who attend merely to live upon their friends, and it leads to demoralisation of all kinds.

1121. I presume from what you have already stated that you can say, if the present disputes were settled, and the future dealings with Native land were made certain and economical as to title, there would be a great influx of money and people for settlement purposes?—I am certain there would be from the correspondence that I have had with people in Sydney, Melbourne, and Queensland. In all those places there are farmers—not speculators—who, if they were only certain of getting land at a fair price, and a secure title at little expense, would come here to settle down, on account of our climate and our rainfall.

1122. Have you ever regarded critically that provision of the Act of 1865—which, by the way, was the first operative Act with regard to Native-land dealings—which sets out that there are two sorts of certificates to be given: one to tribes by name as tribes, and one to a number of individuals not exceeding ten in each case?—Yes; and that giving of a certificate to the tribe led to very great confusion and very great uncertainty of title.

1123. I believe there were only two or three instances in which tribal certificates were issued?—That is all.

1124. In what way did it lead to confusion?—Because since the Europeans have come to the colony the Natives of the various tribes have so intermarried that a Native may almost be of what tribe he likes. If it is his mother's tribe that has the land he can be the child of his mother, and if it is the tribe of his father that possesses the land then he is the child of his father; and unless he happens to be present when a transaction takes place with respect to the land he will give trouble in the future by asserting his claim.

1125. Could that have been healed by pursuing the double system of getting the tribal names and fixing the individuals as they do now in the lists, but calling them by a corporate name?—Fixing the owners?

1126. Yes?—It would be absolutely necessary to fix the owners by name in order to give certainty of title, because otherwise there would be no means of determining who were entitled to rank as owners. In cases of fights in the old Maori days any of the relatives were aware that they could be expected to go and assist, and they would naturally claim to be included with the tribe, though living apart from them.

1127. Then, it would be necessary to fix the names of the owners. and stand by them when once fixed?—Yes.

1128. Have you considered the other sort of certificate?—Cases of granting to the ten when there were a greater number of owners?

1129. Yes?—They were meant to be trustees. It was presumed that these Native trustees would deal with the *cestui que trust* fairly and honourably; but they did not.

1130. Can you give any reason why they were not made trustees?—No. I can state one case at Hokianga that I was interested in under the Act of 1867. There were 180 owners, and the land went through in four days, but it took three weeks to decide who should be their trustees.