tions with regard to Native matters deserves more attention than it has received from the Legislature. At the present time, with any ordinary dispositions, or instruments of transfer, or of lease, every precaution is taken that the Maori executing the instrument should understand what he really is executing, and that all necessary formalities are complied with. That is the case where the instrument is executed by a person in full intellectual and bodily vigour. It seems to me to be a point certainly worth consideration, whether, when we compare the vague way in which testamentary provisions may be given effect to with the care which is exhibited by the person who makes a disposition *inter vivas*, the whole question does not require far more consideration than evidently was given to it when the Legislature passed sections 44 and 49 of the Act of 1886, which undoubtedly tend to make things much looser than they were before. Of course the intention is to adhere to Maori custom; but it is a matter for consideration whether such informal documents should have the effect which it was apparently intended to give them. There is also a question which was raised not very long ago in this town with regard to the position of Maori marriages. It arose in the case of Rira Peti *v.* Ngaraihi te Paku, which is reported in the "New Zealand Law Reports," vol. vii, page 235, and it opens up a very wide question as to Maori marriages and Maori descendants. I mention this matter more particularly because it seems to me that we are gradually getting into a state of hopeless confusion by associating English ideas with matters of this kind. At present a Native is subject to the same succession duties as are imposed in respect of European property. But there are certain exemptions made in favour of children, as interpreted by European law; but if the decision in the case of Ngaraihi te Paku is good law—and I have no reason to doubt it—then the result will be that in all these cases succession duty would have to be paid by Maoris as strangers in blood. I am not aware that the question has ever been raised; but I am pointing out that these are all questions that crop up in connection with matters of this kind, because the succession duties are not paid at the time, but when they are registered, which may be years afterwards. The persons who are supposed to pay the duty are called upon to file stamped returns and pay the duty. Then comes the question, what duties are these persons to pay, and, strictly speaking, the question may arise whether families according to Native custom are not strangers in blood under the European laws of marriage, and liable to duty as such strangers. I dare say the attention of the Commissioners has been called to a matter somewhat cognate to this—that is to say, to a recent decision of Mr. Justice Conolly, in the case of Driver *v.* Poaka, where he held that the successor was not the heir, and, therefore, was not responsible for the debts of his ancestor, which, consequently, need not be payable by him. I am speaking of cases in which there was no marriage according to English law. Then there are some minor matters of detail that I might also call attention to. There is, for instance, the question of the expenses of survey for the purposes of partition. There is no provision made to meet the case of one of a number of Native owners who claims to have partition and applies for a survey which defines his own land, and therefore is for the benefit of the others as well, by giving the boundary of their lands. He is not able to recover a part of the survey expenses from the rest. I think he should be put in the same position as a claimant under the Act of 1886, whereby he can get an order charging the costs of survey on the land. It is only a small point, but it seems to work rather unfairly at the present time. Then there is another matter: that of applications for rehearings, which, at the present time, have to be made before the Chief Judge in open Court. The effect of this is that it very often causes a tremendous amount of delay. The Chief Judge cannot be ubiquitous, and, therefore, any person who is interested and who wishes to hang up proceedings in respect of any particular block has only to give notice of his application for a rehearing, which can be done any time within three months, and then the matter has to stand over until the Chief Judge comes to the district, which may not be for eighteen months afterwards. This does not seem to be at all right, for it opens the door for any person who may be so disposed to hang up proceedings indefinitely by merely making application for a rehearing. I think that some more expeditious method of bringing matters to a head might be found. Another question that seems to be anomalous—although it is not, strictly speaking, connected with the practice and procedure of the Native Land Court—arises under the Bills of Exchange Act of 1883, section 96, where special provision is made that no Native may give a bill of exchange or a promissory note unless certain formalities are gone through, and that applies even although the person may be a half-caste who is able to speak English very well. Provision is made under "The Native Lands Frauds Prevention Act Amendment Act, 1888," section 3, that in the case of a half-caste who is able to speak English only a certificate is required, and no translation. It seems therefore to me to be only rational that, in matters of business, such as the giving of a bill of exchange, a similar certificate should be allowed to be made use of. With regard to the question of keeping back all orders other than those for partition or original investigation for three months before issue in the Native Land Court, in order to allow of applications for rehearing, there is no doubt that it may be quite right in the case of infants, but it seems rather ambiguous whether it should apply also to trustees. I am not suggesting that it may not be a very good provision for the purposes for which it was evidently intended, but it should be more definitely laid down. I think that these are all the particular points with respect to matters of detail that I had noted down with respect to reference No. 2. With regard to No. 3—the defects in the present system of alienating or disposing of interests in Native land, and the remedy which should be adopted—I do not myself quite know whether you intend to travel over the same lines as the Native Lands Frauds Prevention Act of 1889, or whether the Commission has power to deal with cases of defective titles.

1440. It has?—Then, I think the principle of such an Act as that is equitable in the highest degree. There is no doubt that it frequently happens in many classes of cases, both leases and sales, where there is a large number of owners, or even where there is a comparatively small number of owners, that at no one time can you get all the signatures. There are always some minors, or there are trustees to be appointed for them; and you constantly hear of properties where all the performances are *bonâ fide*, whether for lease or sale, and yet, by reason of these difficulties,