1610. Why?—I should say that, provided the machinery were made more simple, the settlement of the country would progress better if people were allowed to deal as they are now.

1611. With the individual Maoris?—Do you refer, Mr. Rees, to giving a Crown title straight out?

1612. Yes?—I should be in favour of that, I think.

1613. A statutory title would be given at once, not going to the individual Maoris at all. Supposing we had to deal with a block of 150,000 acres, and that there were two hundred and fifty owners in it, these Natives should appoint their own Committee, who would cut out any reserves the owners required, leaving the balance of the land to be thrown open, titles being given by the State on terms being arranged?—How do you propose to inquire as to the owers?

1614. The purchaser or lessee would have nothing to do with that, and the title would be indefeasible?—Anything that would make the titles indefeasible would have my support.

1615. Then, as regards the Native Land Court and its present working, would you say it is unsatisfactory?—Yes, decidedly.

1616. And as regards the alienation of land under the circumstances you have been describing, you say that is unsatisfactory?—Yes: it is unsatisfactory for further reasons too, I think.

1617. You can mention anything you like, because it all goes into the evidence, and we want the opinions of practical men?—Well, blocks have come under my notice in respect of which I have received instructions to deal where there has been a huge survey lien unregistered, and if that survey lien had been made by order of the Court it would be possible for us to pay it off and get an assignment, which is equivalent to a mortgage; but in the particular case I have in view the lien is not created by order of the Court at all, and there does not seem to be provision in any of the Acts for dealing with it except by payment. This would be a dead loss to the party dealing.

1618. Then, it seems that at every point you turn to in the system it is unsatisfactory?—Yes. Then, again, there are a great many blocks, especially under the old titles, which are restricted.

1619. Under the Act of 1865?—I suppose so. The machinery for getting the restrictions removed is, I think, too cumbrous. You have to get a majority of the Native owners, you have to apply to the Native Land Court, and you have to supply the Government with a copy of the succession order for every deceased Native. These regulations are all laid down in the *New Zealand Gazette*, but I am putting it simply on the ground that the expense is too much.

1620. The expense, and trouble, and delay?—Yes.

1621. Is there anything else that strikes you at all as being worthy of remark?—Yes. I think I should mention that, with regard to the debts owing by Natives who die, if there is no will the Native Land Court issues a succession order, whether letters of administration have issued or not, and the Act of 1886 seems to say that that shall vest the estate in the successor. There has been a decision of the Court on the point, but we ought not to have to go to the Court in respect of these questions at all.

1622. Did you get a favourable decision because the Supreme Court at Auckland has decided unfavourably in similar circumstances? The decision there was that the estate is not liable?—The Supreme Court in Wellington has decided that the estate is liable. I think, too, it is a proper decision.

1623. It is an equitable decision?—What I wish to point out is, that where a succession order is applied for in the Native Land Court the Court never troubles to inquire whether debts are owing by the deceased. It will issue succession orders to Natives and appoint trustees, but there is nothing to make them liable or the land liable. Fortunately, it has been held in this particular case that the administrator has power to sell the land for the debts first of all. That ought to be clear, so that creditors should be protected.

1624. Is there anything else that you care to suggest to us?—I think that with regard to the Native Lands Frauds Prevention Acts of 1888 and 1889 it would be wise to abolish restriction in all cases except only as to acreage. There does not seem to me to be any charm in saying that a block must not be dealt with if owned by more than twenty owners; because that restricts settlement all over the country. There are few blocks that are not owned by more than twenty owners.

1625. Is there any other difficulty that you can indicate to us, or any point in respect of which there is need for amendment?—Of course, speaking generally, I think that, where transactions have taken place under Acts, and the intention of the Legislature has been followed, though technical defects may be apparent, the transactions ought to be validated.

1626. You think, from your experience of the law, that it would be just and fair, in cases where matters are only technically wrong, and where no fraud is alleged, that they should be validated?—Quite so. I think that in cases of fraud they ought to be thoroughly inquired into, but where the dealings are fair and just on the merits a title ought to be issued. There may be some technical flaw, but that is not the purchaser's fault, or anybody's fault, perhaps, because it may be caused through the complicated state of the law. The Natives are thoroughly protected: the Trust Commissioners satisfy themselves that a fair price is given, and that the transaction is a proper one. In fact, the protection afforded Natives now is greater than it was under the Act of 1881. The Trust Commissioner holds a Court to examine the parties, and there is another open Court to hear objections.

1627. Because you say it is the fault of the Legislature if such transactions are found to be technically wrong?—Yes; more especially as these titles are not negotiable securities, and the settlement of the country is thereby retarded.

1628. As regards real matters of dispute between Natives and Europeans, what do you say—that is to say, in respect of all cases where material dispute has arisen between Natives and Europeans, or in respect of cases of similar dispute that may hereafter arise?—I do not suppose my opinion as to that is worth anything, because I have had no experience, but I should have thought that probably it would be better to have some investigation of these cases that would avoid the necessity of going to law.