which is being taken every day at present, and narrow down these claims to the proper owners?—Yes. There is also a good deal of argument about this word "mana." Now, no chief would attempt to assert his right to land merely on the strength of his mana. It may come in with respect to the subdivision of the land. That is where I would recognise it. It is merely a species of ancestral, occupational, or conquestral right.

1708. Mana, in your opinion, is really a personal attachment?—Quite personal, over the person's tribe, and particularly over the lands belonging to the tribe.

1709. *Mr. Rees.*] It is a species of authority, not title?—It is not title; it is a species of influence which has descended to the man from his ancestors.

1710. As regards the working of the Native Land Court, do you think it has increased in efficiency or decreased in efficiency during the last ten or fifteen years?—I think it has decreased in efficiency on account of the operation of the existing Acts.

1711. That is, in consequence of the state of the law?—Yes. If a short Act could be passed on the basis of those rights which I have spoken of, there is no necessity for a list of the owners' names being inserted in the case of a block of land. The Act of 1865 distinctly states what rules are to be adopted for the guidance of the Judges, and provides that they are to decide all these claims according to Native custom. I say, therefore, there are only three rights to Maori land—conquest, occupation, and ancestral.

1712. In relation to that, is the Commission to understand that, in your opinion, the Native Land Court, through the operation of these recent laws, has departed from that old custom of deciding these matters in that way?—Of course, in many cases the Act has prevented them from following it out, and the present Acts are certainly calculated to prolong the proceedings and cause the Natives to be a great deal longer in having their lands passed through the Court. We will take the case of the original investigation of a block of land: it costs the Natives a great deal of money to have it passed through the Court. If it can be done, I think that, when the original investigation has taken place, the Judge should there and then subdivide the land, at any rate, into hapu blocks. Under the present system the Judge comes down here and investigates the title to a block, and perhaps five or six years after another Judge comes down and goes over the whole thing. If it can be so managed that the Judge at the time of the investigation should make the hapu subdivisions, it would greatly facilitate matters. I recognise the chiefs as having a larger right than the other people of the tribe.

1713. Do you think, from your knowledge of the Natives, that the Natives themselves, in their runangas and large committee meetings, could do any of the work—as, for instance, defining tribal and hapu boundaries by the natural features of the land?—Do you mean a committeeof the same people?

1714. If the lands of the tribe, or the tribal boundaries, were in question, a runanga of the whole people could talk it over with the adjoining owners, and come to some satisfactory arrangement before they went into Court?—That, no doubt, is a good principle. It may save the Court a good deal of time and trouble, and save the Natives much expense.

1715. Mr. Justice Richmond, in his report on the Hawke's Bay alienations, makes the following statement of opinion: "The Court needs *tentacula* wherewith to seek out and grasp for itself all the facts of the case. It would not be well to throw upon the Judges of the Court the duty of investigations which, to be effective, should be made on the spot. This is rather an administrative than a judicial function, and might be committed to some officer of the Native Department in each district, appointed for this duty by the Governor's warrant. A report of this officer on every application for a certificate of Native ownership or of cession should be presented to the Court. This report should be open to exception by the parties interested, and should be confirmed, overruled, or remitted for amendment to the reporting officer, as the Court might think fit. But there should be no jurisdiction to proceed without such a report. There is another reason for connecting an administrative department with the Court. The work of individualising Native title, or, in other words, of partitioning the estates of the Native tribes, cannot be properly performed by a Court which initiates nothing, but proceeds, as the Native Land Court has hitherto done in most cases, only on the application of some particular claimant." Do you think that the working of the Court could be simplified in that way, by preliminary work being done outside?—Would you propose that such an officer should act with the ten before the sitting of the Court, or otherwise?

1716. Prior to the sitting of the Court?—Yes. I would say that it might succeed. But to get the Natives to agree to these things is the most difficult part of it. They are so jealous of each other.

1717. If they could put in their grounds of agreement there need be no room for jealousy or distrust?—I think it would simplify matters very much.

1718. Can you speak as to the existence of disputes in local cases between Natives and Europeans?—Yes; there have been a good many in Hawke's Bay.

1719. And some of them are well-founded?—Some of the original ones are very well-founded indeed. Some of the former transactions that took place here were not done as they ought to have been done; but latterly you very seldom find the Natives disputing anything they have done.

1720. Are you aware of another class of cases, in which there is no question at all as to the merits, but in which the peculiar technicalities of the law have been held to invalidate the titles?—There are such cases.

1721. And they are productive of great hardships to Europeans who deal honestly and fairly with the Natives?—There is no doubt about it; and they cannot be set right unless an Act is passed for the purpose.

1722. As a matter of fact, has the operation of the Native-land law in recent years led to an increase of dealings or to a decrease in the number of dealings between Natives and Europeans in respect of Native land?—I think I can safely say there has been a decrease in dealings for land; but no doubt far more Native land was leased and sold formerly, when they used to deal with