

the entire term at the very outset. Thus, for every £10 of rent you have to pay £12 at the start. You pay at the rate of 10 per cent. on the value of the rent for twenty-one years. That prevents the Natives from getting a fair rent for their land, and it also prevents the very men who might considerably improve their holdings from dealing at all. It is a bad thing for everybody? Of course it enables the Government to show a good surplus for the time being by getting all the duty in at once. I think this is a real grievance. The objection is not so much to the duty itself as having to pay it at the very start of the lease. Of course 10 per cent. is a heavy duty on a conveyance, but I do not say anything about that. The Government has got to be supported.

WAIPAWA, 5TH MAY, 1891.

Mr. ROBERT WARD examined.

1805. *Mr. Recs.*] You are a Judge of the Native Land Court?—Yes.

1806. How long have you had opportunity of obtaining a knowledge of the Native character, of the Native Land Court procedure, and of the Native-land laws and their effect?—For the last twenty-two years I have been intimately acquainted with the Natives of the Wanganui and Rangitikei districts. I am only a sojourner in this district. I have been more closely connected with the Native Land Court since 1886.

1807. Then, we should be glad to have anything that strikes you as worthy of remark on any of the questions committed to us for investigation, in order that it may be incorporated in the evidence we are taking?—I have been Resident Magistrate for many years, and it has seemed to me that the Maoris are less affected by the administration of the oath than Europeans are. The European will sometimes tell lies in the Court, and so will the Maori; the European is ashamed to be found out, while the Maori does not care. There is no sense of shame in him at all in that respect. He is simply quite indifferent. I always prefer, when I am taking the evidence of a Maori, to see his face, in order to judge from what I can see of him whether he is speaking the truth or not; and I believe I am rarely mistaken. I have made the human face a lifelong study. This, I think, is very important where a Resident Magistrate or Judge of the Native Land Court has to judge whether the statements made to him on oath are true or not. I have often been able to detect when a Native was about to fabricate a reply to a question, and I have at once stopped him with a caution, when he would admit the charge, saying, "Yes, I was going to make up something." I remember once, when I was sitting at Turakina, in the Wanganui district, as Judge of the Native Land Court, I found that one of the witnesses had been making two or three entirely different statements within the course of a few days, and I thought it was sheer waste of time to be taking evidence of that sort. I therefore pointed out these conflicting statements to the man, and asked him if he could explain them in any way. I found that he could not. I said, "Is it not a fact that you are simply fabricating these statements?" He hesitated for some time, and then, looking up, he said, "Yes, I have." Then I said, "Nearly all these statements, then, are fabrications of your own?" "Yes," he answered. I asked, "Do you know the difference between speaking the truth and lying?" He looked up, smiled, and said, "There is no difference at all until you are found out." I think he meant that the Court should accept a statement made by a Maori as true until it could find out that it was a lie. They think the Court fair game for receiving any statement in support of their case, though it may be utterly without foundation. When they are claiming a block of land they are trying to win that land just as if they were attacking a pa in the olden time; and, just as, in the olden time, any trick or device was fair in their warfare, so now they think that in the Native Land Court everything, too, is fair. Really respectable Maoris, or those who are looked on as such, will at times tell the most unblushing lies in this way, and they consider that there is no impropriety or shame to be attached to them in consequence.

1808. It is their method of carrying on war?—Yes. In the course of that sitting at Turakina which I have already mentioned I found that one witness was making most untruthful statements, and, stopping the examination abruptly, I told him to take up his hat and leave the Court. He did so. Another witness was duly sworn, and in the course of a preliminary inquiry I asked him, "Do you know So-and-so?" referring to the previous witness. He said, "Oh, yes! he is the biggest liar in New Zealand." Yet, when this witness had talked a day or two himself he also was bowled out, and had to leave the Court. The first witness had returned, and was highly pleased at the discomfiture of the man who had succeeded him in the witness-box. Colonel Trimble was sitting with me, having just been appointed a Judge of the Court, and was getting initiated into the practices of the Native Land Court. He was disgusted and astonished at what he had witnessed. In the Native Land Court you have to exercise great discretion, great patience, great tact. I try to exercise these qualities when dealing with the Natives. I was only insulted once, and that was when an old chief at Turakina threatened to cut me down with an axe. I looked at him and kept my seat. He rushed across the Court over several forms to attack me. I sent for the police to arrest him, when he apologized, and promised to behave himself properly in the future. I said, "You are a chief. I will take your word." And he has kept it. With that exception I have always been treated with respect. I have always told the Maoris to look on the Court as essentially a Native Court, and I have asked them to do what they could to maintain the dignity and proper respect due to a properly-constituted Maori Court. It has had great effect with many of them. Of course, mere opinions like these, I am afraid, are not worth much to you, and no doubt you have heard the same things over and over again. I am speaking my own thoughts as I go along. I would say that, to my mind, the duty we are performing now in the Native Land Court is one of the most important functions that any Court has to exercise in this colony; for we are really laying the foundations of all titles for the future. So it seems to me that if the Court is a little bit long in dealing with these cases—in getting down to the bed-rock—it must be excused, because we are going cautiously, carefully, quietly, so that, in the interests of the Maoris and all parties concerned,