1933. I think it would have facilitated the question of shares afterwards?—And then there is another matter—the infant and married-woman difficulty, that we have always with us.

1934. *Mr. Rees.*] And that is always increasing, because of the deaths and births. As regards future dealing, do you think it would be wise if, instead of individual dealings, there should be public dealings by a committee or board appointed to give titles if the Natives publicly assented?—What sort of a board?

1935. A board partly appointed by the Natives and partly appointed by the Government—in fact, a species of Land Board?—To deal with large blocks.

1936. Yes, under the authority of the Government?—Do you mean blocks the titles to which have not been ascertained, or merely blocks the titles to which have been ascertained?

1937. Both classes?—With regard to blocks of land the titles to which have not been ascertained, nothing could be better than the constitution of a board approved by the Natives, having the character of a Waste Lands Board, if we could be satisfied that they did approve of it. We are in the habit of speaking of the Natives collectively, as if they dealt collectively; but I think that is not the case.

1938. Could they not act in that way in relation to both classes of land?—I still venture to doubt it. I do not think any course could be better in respect of lands the title to which has been ascertained than the suggested course of having a board approved by the Natives, and acting upon instructions from committees appointed by the owners of the blocks; but it is for the Commission and for Parliament to satisfy themselves that they have the consent of the Natives to that course. Then, with regard to the lands the title to which has not been ascertained by the Court, I am not in a position to offer any opinion at all; but I am unable to see how it could carry out such powers in respect of blocks of land the titles to which had not been ascertained.

1939. *Mr. Mackay.*] Do you not think that a committee of the Natives, assisted by a Government officer, could settle the tribal and hapu boundaries?—A committee of what Natives?

1940. Of the Natives claiming to be owners of the block?—I do not think so. That is not the experience of the Native Land Court. The experience of the Native Land Court is that a large number of blocks are the subject of amicable agreement outside the doors of the Court, and that another class is the subject of most bitter fighting out of doors and in Court. In my opinion there would be disagreement between the Natives as to the ownership in most cases.

1941. The people could come to an agreement as to the first division of the land, and submit that to the Court and get their title accordingly, and they would also submit to the Court any cases in respect of which they had disputes?—What Court?

1942. The Native Land Court?—That simply means a Court to ascertain the title, which it is at present. That Court is at present the tribunal which ascertains the title to land. I do not see how you are going to dispense with that ascertainment. If you say the Natives will agree, I say that that is not the experience of the past.

1943. *Mr. Carroll.*] What you mean is this: You cannot see that the committees will work harmoniously with the Court in respect to partitions and subdivisions?—Oh, yes! I see that they may work harmoniously if there is a committee for each block consisting of the owners. But then, in using that term, they are impersonal owners, and we are speaking of a body impossible to ascertain.

1944. *Mr. Rees.*] Supposing that half a dozen blocks of land are brought before the Court for ascertainment of the title, the Natives in their own runangas meet together and talk over the matter, and come to an amicable decision as to the tribal and hapu boundaries, and, at any rate, ascertain if there are any, and what, matters in dispute?—So far as I am aware, that is the present practice.

1945. That is the practice suggested, but it has not been pursued. Some of the Judges, past and present, suggested that it should be so?—My cardinal difficulty is to see how you are to get the committee before you know who are the owners.

1946. You will have a committee of the Natives resident in the district. Supposing the Natives would meet and talk over these matters in their runangas, do you think that preliminary work may be done with advantage, thus easing the Court and shortening its proceedings, leaving questions of dispute to the decision of the Court or some competent tribunal?—I do not see that I can pretend to give an opinion as to that. I have never practised in the Native Land Court, and my knowledge has simply been derived from perusing the minutes of proceedings of some of these Courts in respect of cases in which I have been engaged.

1947. *Mr. Carroll.*] If the Court thought proper to empanel a jury to decide all matters connected with the land, do you think that would be effective?

1948. *Mr. Rees.*] A Maori jury?—Substituting twelve assessors for the one employed at present.

1949. *Mr. Carroll.*] Yes; or six?—I do not think so. Again, however, I say that I am not competent to speak as to that; but my opinion is that it would not be so effective. There is great danger of the jury being composed of persons who would not admit persons who might be properly entitled, and yet whose claim would be adverse to those represented on the jury. And if you had a large number of the claimants my experience is that there would be not even a talk in the jury-room.

Mr Carroll: It was the practice of the old Judges to call in independent witnesses.

1950. *Mr. Rees.*] Mr. Bell says that as far as the Europeans are concerned he is able to give a distinct opinion?—As to partition also, I know something about that. As to the practice of the Native Land Court in the ascertainment of title I do not know sufficient to be able to speak with any authority.