2000. Do you think such a tribunal as that would give satisfaction to the profession in the interests of their clients?—I feel doubtful as to the uses of the layman. The Maori I would have no objection to see there—not on account of the assistance he might be to the Court, because I do not think he would be of any assistance to the Court—but I think he would be very useful in winning for the Court the confidence of people of his own race; and in that aspect I think the Maori member of the Court would be very useful, because we want not only to be just, but to make the people think we are just.

2001. To have the appearance as well as the reality?—Yes; and so I think the Maori member would be useful. But, as for the lay pakeha member, I do not feel so sure about him. Of course, my alternative would be another lawyer; but, as I said before, the general public have their opinions about lawyers. As a matter of policy, to get the thing through it might be as well to have only one lawyer.

2002. Is there anything we have not talked about that you would like to suggest?—The questions I have been asked are not of the nature I had anticipated at all. If I had known the questions you were going to ask me I should have prepared my answers, in order to try to be of some assistance to the Commissioners. The matter is pretty crude in my mind. I thought of other matters altogether. For instance, I was going to say something about the amendment of the Native-land laws.

2003. We should be very glad to hear anything you have to say on that subject?—I was only going to make this suggestion: The fault I find with the Native Land Acts is that they are too vague. This vagueness is due, I think, to a paucity of language. If you look at the English statutes dealing with a new subject, you find that, although there is not the language you would expect in, we will say, a good essay written by a brilliant writer—that is to say, worded with extreme care—yet the draftsman tries to meet every possible case that may possibly arise, and he provides for each one that he thinks of separately, and then he puts at the end some general words to meet cases which he cannot think of. I find in our Acts that they sometimes contain the general words only, and very often they are not wide enough. In other cases only particular cases are specified. I might instance a clause in the present Native Land Court Act, empowering the Supreme Court to refer matters to the Native Land Court. That clause has been copied from Act to Act, sometimes with slight variations in the words, for ten or twelve years, and each one is declared by the Judges to be inadequate for the purpose for which it was put in; and that is simply because the draftsman did not take the trouble, I suppose, to look up the decisions on the matter. He did not know what he was legislating for. The Acts are filled with things of that sort, partly with the object of having the clauses short. I do not deny that it is easier to read the Acts in consequence; but I think that attempted perspicuity is carried to excess in the Native Land Acts. I should like also to say that—I was going to mention it before—I think the Natives are hardly treated in the taxes they have to pay.

2004. You mean the 10-per-cent. duty, as well as the other fees and duties? They complain very bitterly of this?—It is worse than that. When a man buys a Native estate, he first considers what it will cost him to get it into his hands, and then what it is worth. He gives the person from whom he buys it the amount which the estate is worth, less what it costs him to complete the transaction. If the costs amount to £10 and the estate is worth £100, he will give £90. The lawyers get the £10. Now, if he has to pay £10 to the Government in addition to all this, he will deduct that sum from the price, and that will reduce the amount which the seller is to receive to £80. Then, there are surveys to be paid for. If you consider carefully the numerous expenses that have to be paid before the Native gets any money, you will find he pays in reality taxes and charges to the extent of 50 per cent. And then the uncertainty of the titles creates another heavy tax on the Native, because a man will never give so much if his title is not quite sure.

2005. In fact, he deducts a certain proportion of the money-value of the estate to form an insurance fund?—Yes. He must make an insurance fund. There is a sort of speculation about it; and any legislation ought to be, I think, largely directed to that: while not making it too easy, yet, when alienation does take place, to make the title certain, so that the Native shall get the greatest advantage from the purchaser. That has all been neglected in the past.

Mr. Carroll: The duty is about 15 per cent?

2006. *Mr. Rees.*] No: 10¾ per cent?—The fees the Native has to pay in Court, the survey-fees for subdivision, and the long attendances he has to pay for, along with the expense of all the other things, swallow up the great bulk of the money accruing from the land.

2007. *Mr. Carroll.*] I think it is reckoned at 15 per cent. in the matter of a lease?—That is on the annual value.

2008. *Mr. Rees.*] You pay once on the capitalised value of the rent?—It takes the Native a long time to put a large block of land through the Court, and the cost is frightful. I heard of a case the other day in which £20,000 had been paid to get the land through the Native Land Court, and yet after all this expenditure the whole thing is going to be attacked owing to some mistake in the Native Land Court. Yet, as I say, £20,000 was paid for the surveys and the investigation in that Court. I do not mean to say that it is all absolutely useless. Possibly some of the surveys will be used there again.

Mr. Rees: But the hearing and other costs cannot.

Mr. Carroll: Then, there is the question of succession duties.

2009. *Mr. Rees.*] They complain very bitterly of that?—I have never done anything in connection with that. I have not been in the Native Land Court. It would be just the same with successions of that kind with Europeans, I think.

2010. Except that you cannot swear them under £100, because they do not know what they are worth?—But, supposing a European dies, and his property goes to his eldest son, a certain rate of duty is payable. We will suppose further that before a month has gone by the son dies, then it devolves on his son. Then that son will have to pay the two duties.