their lands out of Court. In large districts—as, for instance, the Wanganui district—it is a long time since the Natives have brought before the Court any cases for original investigation of title. And I think that, if applications for hearing of blocks required for settlement are not sent in, the Court should, on application of the Governor, ascertain the ownership of any such lands after due notification. And if the Natives refused to attend the Court to give evidence as to the ownership the Court should give its decision upon such evidence as it could obtain, and award the land to the Natives whom it could best ascertain were the owners, and especially it should declare the relative interests of each. All surveys of Native lands for purposes of first investigation, and such subsequent partitions as may be approved by the Native Minister, should be paid for by the Crown out of funds provided for the purchase of Native lands. I suggest that because I would give the Natives every possible facility for bringing their lands into the Court, so that Natives without means should not be debarred from bringing land into the Court. The surveys and any other incidental expenses should therefore be paid for by the Crown, and the amount should form a lien upon the land, to be recovered on the application of the Crown. The Court should award land to cover all these costs, on the valuation of, say, the Surveyor-General. The Crown should also take precedence of all suitors before the Native Land Court.

2016. When it has purchased interests in the land?—I think, at any time. The object of the Native Land Court is to ascertain the Native titles for the purposes of settlement. It is a duty of the Government to provide land for settlement. It acts in the interest of the whole of the people of the country, Natives and Europeans together. Consequently, for the purpose of acquiring land for settlement, the Crown should take precedence of all suitors.

2017. I see what you mean. In respect of cases in which the Crown is interested it should have precedence of other parties?—Yes. As it is at present, the Crown necessarily is theoretically on an equal footing with every one else before the Native Land Court, and if precedence, which all must recognise as desirable, is given, charges might be brought against the Court of favouring the Crown in having blocks heard, and in other ways. My opinion is, that Crown cases of any sort should take precedence, and that it should be by law, and not by any arrangement of the Court.

2018. *Mr. Carroll:* You mean, where the Crown is interested?

Mr. Rees: Yes; any cases in which the Crown is interested.

2019. *Mr. Carroll.*] In what way?—Perhaps I had better go a little more into detail. I mean, supposing the Crown wishes to obtain for settlement a block of land in respect of which there is an application before the Court for its hearing, the Crown should be in a position to apply to the Chief Judge for the hearing in respect of that block to take precedence of all other cases. To start with, fix a special Court for it if necessary, and then let that particular case take precedence of any other. It might be a succession case, or it might be a partition case, or it might involve any other operation of the Court that is necessary to complete the title of the Crown, and in all these instances the Crown's should take precedence. I do not think it would inflict any injury or hardship upon any one, and it would be better to have it clearly understood than to leave it in its present undefined state. Another matter is the difficulty the Crown, in common with private parties, is placed in by the existing legislation with regard to the restrictions upon the alienation of Native lands. The Crown stands in exactly the same position as private individuals in respect of these restrictions. The principle that the Crown is not affected where it is not especially named does not apply, because the restriction is not upon the Crown purchasing, but upon the individual selling; and provision should be made by the Legislature that land under restriction may be sold to the Crown. I think no hardship can possibly arise, for this reason: A private individual buys land from the Natives, passes it under the Land Transfer Act, and sells to another individual, when his responsibility is at an end; and if any wrong has been done the Natives they may have no redress or remedy: but in the case of a Crown purchase the Crown never gets away from its responsibility; so that if it were possible that the lands have been bought improperly, or any hardship or grievance is connected with the transaction, the Native who makes complaint has always the Crown to come upon for redress. Therefore, restrictions that are reasonable in any other case are not reasonable as against the Crown.

2020. Even if the Crown, you say, is the evil-doer, the Native will always look to the Crown for relief?—Undoubtedly. The Crown is always amenable to Parliament. That Court, which cannot touch the private individual, can touch the Crown. In case of any hardship, or grievance, or wrong, the Native has always got his means of redress as against the Crown. But, apart from that argument, seeing that it is a very common thing now for lands to be placed under restriction—as I shall illustrate presently by returns I shall show the Commission—it follows that, if the Crown is buying a large block of land subject to these restrictions, the purchaser is practically compelled to break the law, and buy in defiance of the restriction, and consequently with an unsatisfactory title, or is prevented from purchasing at all, which is extremely unsatisfactory where the land is required for settlement. The next point—that seems to be somewhat akin to the last-mentioned subject—is that trustees for minors should be allowed to sell to the Crown without it being necessary to obtain the consent of a Judge of the Supreme Court. As the law stands at present, a purchase can only be made from the trustee of a minor with the consent of a Judge of the Supreme Court, which is obtained by the formal process of a motion in chambers. It would be better, as far as the public are concerned, that they should only purchase with the consent of a Judge of the Native Land Court; but, in the case of a purchase by the Crown, the consent of any Judge should not be necessary. Upon all these general questions I have spoken from a land-purchase officer's point of view.

2021. Do you not propose any accompanying steps to that last part of your statement—as to the investment of the money, for instance, for the benefit of the minors?—I do not propose that the law should be altered at all in that respect. The law at present is that the money is to be paid in to the Public Trustee and disbursed on the approval of a Judge of the Native Land Court. That is very fair, and I would leave it exactly as it is at present. But, apart from that, you have to go