Section 25 and Explanatory Note.—Natives are always perfectly able to manage their own cases in Court. In many instances I find them extraordinarily clever as pleaders, and they always suffer, on both sides, where, in any opposed case, they have been prevailed on to employ European agents, especially lawyers. The present law and practice are sufficient; there is no need to endeavour to make the Court popular; it is highly so.

Sections 26, 27, see explanatory remark, Section 25.

Sections 28, 29.—The present law and practice quite sufficient.

Section 30.—I think that in the cases referred to in this section the Court should have full power to decide as to what restrictions should be imposed on alienability of land, and whether any should be imposed. I think it very necessary and important that the Court should have such discretionary power.

Sections 31, 34, 35, 36, 37.—Such interference between the buyer and seller would be politically unwise, and constitutionally wrong, and highly dangerous. The danger intended to be guarded against by Section 31 does not exist, or only to a small degree, in the Northern districts, where the Natives do place even, if anything, too much value on land. I think that where the danger alluded to in the explanatory note on section 31 does exist it might be averted in a more simple manner. The procedure laid down for adoption in sections 34, 35, 36, and 37, I am bound to say I think generally impracticable, quite unnecessary, and highly dangerous. The Natives in all the Northern districts, and particularly in the Bay of Islands district, understand well what their own rights are; they are extremely anxious to hold their lands by tenure from the Crown, in the same way as lands are held by Her Majesty's European subjects; they are very determined to do as they choose with their own, and are not at all likely to ruin themselves by excessive or improvident land sales, and would, I feel sure, resist such interference and such a state of tutelage as the sections above mentioned would impose upon them, but will submit willingly to such restrictions on alienability of lands, or other conditions, as the Court can show are prudent, desirable, or necessary for their own interests or the interests of their children. I am bound by my duty to the public to speak plainly what I think on this subject, for I can anticipate nothing but danger and difficulty should this proposed Act become law.

Sections 38, 39, 40.—I think the present law and practice sufficient, and well understood by the Natives.

Section 41.—This section appears to me unnecessary, the present law being sufficient. The only remark I would make is, that every decision by the Court should be founded on a full investigation, and that in respect to the "peace of the country" the Court should endeavour to come to a just decision in every claim on Maori usage and custom as its first object, and that this will insure the peace of the country in as far as any action of the Court can secure it.

Section 42, of Fees.—The fee of ten shillings for application for inquiry into title I do not think advisable. The present scale of fees fixed by law appears to me sufficient, the Court having discretion in applying it.

Sections 43, 44, 45, 46.—No remark necessary, present law being sufficient.

Section 47.—There can be no objection made to this section, and it might be useful to decide any doubt as to the reading of an Act, but I do not see at present any likelihood of a question in English law arising in the investigation of a title founded on Maori usage and custom.

Section 48.—Present law sufficient, and I think better.

Section 49.—I think that in all cases of land claims contested between Natives and the Government that the Court should not have jurisdiction, except only when the matter has been referred to the Court by the Governor, and in such case I think the proceedings should be of the nature of an arbitration; but I believe it would be better, for many reasons, that no such cases should be referred to the Court at all; and I think the Government would, in most instances, settle such disputes more advantageously by arrangements which might be made between its agents and the Natives. I, however, do not wish to be understood as speaking positively on this point.

Section 50.—Very proper.

F. E. MANING.

2nd September, 1871.