

claimants in accordance with their own determination of their respective rights; while a subdivision of the blocks would have entailed upon them increased expense of survey and trouble in receipt of rents, without a corresponding advantage, visible at first sight to them, to counterbalance these. The runs therefore were passed, in accordance with the proviso, in the names of ten claimants, in reality and equitably, trustees for the benefit of themselves and of their co-proprietors; but in appearance and at strict law, absolute owners of these tracts. I need not enlarge upon the abuses to which such a state of things has opened the door.

The question, how this evil may best be remedied, is a difficult one. The insertion in the grant of the name of each individual interested in it is, in practice, in many cases so evidently impossible that it may be at once dismissed. The most effectual remedy, a more complete subdivision of the land, so that no more persons should be interested in a single grant than could practically be dealt with, is in the hands of the Maoris themselves; while any system of grants with trust expressed in them, other than for public purposes, is looked upon with extreme disfavour by the present age. The registration of the names of the claimants in the Court, under the 17th section of the Act of 1867, and the issue of a certificate only to determine the proper parties to be dealt with, is the only remedy as yet discovered for this acknowledged difficulty.

The question of survey belongs more particularly to other officers than myself to discuss, but, without trenching upon this special province, I may remark that in my opinion it would be decidedly advantageous that the survey of the external boundaries, required by the Acts as preliminary to an adjudication, should be conducted under the immediate control of the Inspector of Surveys Office. A more uniform and reasonable scale of charges, and much greater accuracy in avoiding overlaps and similar errors, might be insured, while greater punctuality in payment could be enforced. As matters stand, the right given to surveyors to retain a lien on the grant is, in many cases, virtually of no effect: the certificate insures the uninterrupted possession to the parties named in it, and where there is no intention to alienate, they have no object to be gained by the expediting of the grant.

Another complaint made of surveyors, and not without just ground, is the necessity for their attendance in Court to give merely formal answers to certain regular questions, in respect of which a certificate upon this plan, or, if deemed desirable, a statutory declaration appended to it, might, I think, be satisfactorily substituted. In cases where the evidence of the surveyor might be deemed necessary to establish any other point, he might be called by subpoena, like any other witness.

I have not touched upon the question of delay and expense incurred by useless prolongation of cases placed in the hands of agents, because the last and most flagrant instance of such a case has, in effect, worked the cure of this crying abuse, and placed in the hands of the Judges themselves the power of preventing a repetition of such a scandal upon the administration of justice.

In conclusion, I would desire to remark that, so far from being averse to seeing large tracts of land alienated from their aboriginal occupants and passing into the hands of the European colonists, I have always looked upon the wide extent of the uncultivated holdings of the Maori as a curse to them rather than a blessing; and I maintain that every legitimate encouragement should be held out to them to part with their surplus lands to those who can make the use of them for which they were intended, care being taken that each Native has ample land secured to him for his own maintenance.

I have, &c.,

HENRY A. H. MONRO, Judge,
Native Land Court.

Chief Judge, Native Land Court.

Enclosure 3 in No. 2.

Judge MANING to the CHIEF JUDGE, Native Land Court.

SIR,—

Native Land Court Office, Hokianga, 27th April, 1871.

I have the honor to acknowledge the receipt of your letter No. 60, of date 9th February, 1871, requesting me to report on certain points regarding the working of the Native Land Acts.

In endeavouring to answer the questions you have placed before me, I beg to be understood, except in cases where my remarks are obviously general, as coming to my conclusions from my experience in the Northern Districts where I have been chiefly engaged. I also hope that, as I am very much pressed by the business of my office, you will excuse me being as brief as possible in my answers, though at the same time I do not insinuate that were I to use a greater number of words, my report would be at all more valuable.

1.—*Past workings of the present Laws.*

The working of the present laws, or their failure, depended entirely from the beginning, on whether the Natives would or would not accept the opportunity held out to them of individualizing their titles to land, and of holding it by grant from the Crown. They have accepted it with great promptitude and very clear appreciation of the advantages which they obtain, and it is to this, and the very strong public opinion in favour of the present Native land laws, that may be attributed the authority which the Native Land Court has acquired, founded only on a moral influence, and which has enabled the Court not only to work the law without check, but to finally settle very many old standing disputes regarding the ownership of lands, which had been the cause of periodical disturbances, and which I do not think could have been settled by the Natives themselves without the intervention of the Court.

2.—*Effect upon the Maori and European People.*

One effect which I have noticed myself, and heard remarked on by others, and which is indeed quite perceptible, is, that there is evidence of an increase of industry, more economical habits, and a better mode of living, amongst the individuals and families who have obtained Crown grants for their farms. This improvement I have a hope will be more progressive and more general as the Native lands become more and more subdivided. When Natives have received grants for their lands, they seem to have no