these rights to land only as long as he remained a loyal member of the tribe. He could be deprived of the land if he committed a grave political offence such as rebellion against constituted authority or the land could be taken away from him if such action was regarded as in the public interest.

As was stated in the case of Dzaboelcoroe v. Tuituwe NAC (CIV) 1945, "The original grantee cannot be deprived of his right to cultivate the land by anybody except the chief——and then only in special circumstances which entail a forfeiture by the original grantee of his right which reverts to the tribe."

The question therefore arises as to what was the exact position of the chief in relation to land. Was he an "owner" as he is described in some quarters or is he a "trustee" as he is described in other quarters. When the chief is described as the "owner" of the land of a tribe, the term "owner" means is used in a political sense to imply "political overlordship", not necessarily "ownership in the European sense of the term. In fact apart from what has been allotted to the chief himself none of the land is really his private property in the European sense of the term.

It has become usual now to describe the chief's position as that of a trustee. The 1893 Commission said: "It is submitted original Native law was vested in the chief, as a trustee for the nation——not in personal, but in
Sure proprietors— and his rule was allowed to bear on it without flexibility to a money rent (money being unknown) but subject to various sorts of render.

What sort of trustee then was the Chief? Does this mean that the Chief was merely an agent on behalf of the people, with the right to lend vested primarily in the individual land-holder rather than in the Chief? Or would this mean that this was not so because in Native law the emphasis is always upon the rights of the individual. As position of the Chief as trustee is that of a sovereign rather than that I am agent.

As for the family bond, it concerned the ownership of the land vested in the head of the family. But it must be remembered that an estate of a head is allowed to run after separation from the head, but all the family accounts to members of the family go into a common pool and is administered by the head. Debts are incurred by members of the head, and the head must agree with the head before anything is done. If the head of the family cannot agree, the sale of the head proceeds. In no modern Native law are absolute minors of a head do not share in the legal ownership of the land of the head, but he share in the money of their family. If they exceed his is the family that owns the property, and not the head himself or any individual wants to whom the property is not certain. It is the individual head that is the head of the family, or the head, that has the