laws. So conflicting are the clauses of various Acts that it is almost impossible to extricate anything like order from this legislation.

1179. You are aware, are you not, of certain judgments which have been given lately in the Supreme Court and in the Court of Appeal. I allude to the cases of Matthews *v.* Brown and Poaka *v.* Ward. Have those judgments tended to make the reading of the law more simple or more complex?—The judgment in Poaka *v.* Ward has certainly tended to render the construction of the Native-land law more uncertain and difficult than ever.

1180. *Mr. Mackay.*] Was that not Mr. Justice Richmond's judgment?—No: I refer rather to the judgment of the Court of Appeal, reversing Mr. Justice Richmond's decision.

1181. Do you consider that it would be wiser to attempt by amendments to remedy the existing law, or to repeal it and start afresh?—In my opinion the whole difficulty has arisen from the repeated amendments to the Native-land laws, and the attempts that have been made by the Legislature to remedy defects in a system which was radically wrong in its foundation.

1182. In what way?—I consider that the principle is radically wrong by which every Native who can show an indirect interest in a block has to be a party to the title. I consider the machinery which has been provided under these Acts for the investigation of titles to be cumbrous and inefficient. The uncertainty and want of finality connected with any proceeding in the Native Land Court, the repeated adjournments and rehearings, are defects in the administration of the system of a very serious nature. All these things lead me to the belief that the best course to adopt is to repeal the present system altogether, and, if possible, start afresh. I may say that you are not limited to the Native-land laws in your inquiries with reference to Native titles. You have, without any assistance from the Native Land Acts to guide you, frequently to search through other statutes for provisions bearing on Native lands.

1183. Outside the professedly Nrtive-land legislation you have to seek through various other Acts in order to understand the state of the law on Native-land matters?—Yes, you have to consult Acts having no apparent connection with the subject for provisions bearing on the Native-land law. I might mention a repealed Act—the Land Transfer Act of 1874—which introduced the principle of changing the title to land into freehold tenure for the first time. Of course that has been repealed, but a number of titles are affected by this profession, and there is not the slightest reference in any Native Land Act to these provisions. Then, there is the Land Transfer Act of 1889, which deals with Maori probates, and Maori wills, and the title to land held by Maoris; and there are other statutes which both directly and indirectly affect the Native-land laws.

1184. So that, in fact, you have to search through Acts which do not appear to deal with Native land at all, in order to find out whether they contain clauses materially affecting Native titles?—Yes. In fact, it is absolutely impossible for any lawyer to advise his client upon any complicated question concerning Native lands without a feeling of uncertainty that he may have overlooked some section or Act which may have a bearing on the case. And it is also almost impossible to reconcile the many inconsistencies in the various Native Land Acts now in force.

1185. If titles to Native lands were dealt with in each district, and titles given to them in each district by Government Commissioners and a Board like the Crown Lands Board, and no dealing allowed with individual Natives, could any such difficulty arise as that which is now experienced?—I do not think so. The difficulties have arisen, in my opinion, from individualising the Native title. So far as I can ascertain, that is a thing quite unknown to Maori custom. They never recognised the individual title to land, unless it was the individual title of the chief.

1186. Now, there are two classes of cases in respect of which disputes or uncertainty exist at the present time: one is where technical omissions or defects have been made or occur in the signature of deeds or in other necessary steps, but without any fault of the parties. The second class is where there are real questions in dispute between the Maoris and the Europeans in regard to the transactions. Can you suggest any difference of dealing between the two classes of cases as to their settlement by any Court to be constituted? Of course a Court would have to be constituted to deal with both classes?—I think, with regard to the first class of cases, that if the Court were satisfied that the transaction was *bonâ fide* it should be validated. In the second class of cases I think, if the grievance was proved—that the Europeans had not acted in a *bonâ fide* manner towards the Maori vendors, then those titles should be upset. I can see no reason why the purchasers of the land should retain any benefit from their purchases if they were obtained in an improper manner; But I see every reason why a man should not lose the benefit of his purchase where he has acted in an open, straightforward, and *bonâ fide* manner, and the title has been attacked simply on account of formal technical defects.

1187. Can you state, from your knowledge and professional experience of both classes of these cases that there are many such transactions?—Yes, there are in both classes of cases.

1188. This must lead, then, to a considerable amount of uncertainty as to title?—It does.

1189. Can you say whether it goes so far as to become a hindrance in the settlement of the country and in the investment of money?—Undoubtedly it does. I should never advise a client to lend money on land the title to which is derived from Natives through the Native Land Court. Nor would I advise intending purchasers to purchase land from the Natives for the purpose of settlement. I know of cases where the title has been attacked after the lapse of many years, and after the land has been improved and dealt with.

1190. Can you state whether it is a fact that the District Land Registrars have caveated after the decisions in the cases of Matthews *v.* Brown and Poaka *v.* Ward—titles under the authority of those judgments?—I have heard so; I do not know so personally. I have heard that the District Land Registrar at Napier has done so. I am not aware that any caveat has been entered in Auckland on the strength of those judgments.

1191. *Mr. Rees.*] Do you think that the difficulties of title would be removed if in every district there was an officer appointed by the Government to act with Maori Committees or boards,