1207. Would you give the Judges power in such cases as they determined it right to award a portion of the land which was claimed?—Yes; I would constitute them a Court of Equity, and in every case they should have the right of determining whether the purchasers were entitled to retain the whole or any part of the land.

1208. I suppose you would give them the power to examine into the terms of any arrangement come to between the parties, and, if they considered it fair, to indorse it and carry it into effect?—Yes, certainly. But I would allow no arrangement made to be enforced without their consent and approval.

1209. *Mr. Mackay.*] Any arrangement which they indorsed should be made a rule of Court?—Yes.

1210. *Mr. Rees.*] Looking at the whole history of the matter, and the present position, do you believe that without some such absolute change as you now suggest there ever can be a proper transmission of property or a peaceful settlement of these matters?—No, I do not think there can be. You never can attain that result without some such system as this, nor can you have any feeling of certainty in connection with Native titles.

1211. And you would say that on the foundation forced upon the Natives by the present system of investigation of titles it is impossible to build up, so far as you see, any safe building?—Quite impossible. The principle was wrong in the first instance, and has led to very great abuses. I consider that the present system of investigation of the Native title has been the cause of most extravagant expenses in the Native Land Court, and of very great delay in determining the titles to land, and has operated to the disadvantage of the Maori owners in many respects. I know that the Native Land Court has adjudged persons to be the owners of land when such persons have had no right to it, and that has lead to repeated applications for rehearings. In some cases the original judgment of the Native Land Court in favor of certain Natives has been set aside upon the rehearing, and a fresh lot of Natives inserted as the owners. And I know of cases in which the rehearings have been two or three deep. That has arisen from the practice of allowing individuals to have an interest in land which belonged to the tribe. In fact, I believe that for the last three or four years the Native Land Court has done no substantial beneficial work at all, or very little. The time of the Judges has been occupied, to a very great extent, in rehearing cases.

1212. Practically then, the work of the Native Land Court in the settlement and transmission of the Native title has really come to a standstill, has it not?—It appears to me to be so. The Judges will sit for three or four months on one case and will then adjourn. I am not speaking of any individual case. They may be sitting for twelve months on a particular case, and then, without finishing it, they will adjourn to another district, partially hear a case there, and come back again to the first district. I know of cases, in which I have been either directly or indirectly interested, in which nearly the whole value of the land has been eaten up by the costs of individualising the title. And the Natives have got nothing for it, except a lot of vices which they have obtained through attending the Native Land Courts in these coastal towns. They have lost their land, and they have demoralised themselves.

1213. This sort of thing frightens away capital, I suppose?—Yes. The whole system of Native land dealing, in my opinion, is vicious. And no amendment can cure it; it wants to be destroyed.

1214. Is there anything else, Mr Cooper, you would like to suggest to us?—The Natives should never have been recognised as legal owners of the land.

1215. Only as the beneficial owners?—Only as the beneficial owners. And the Crown should from the very first have dealt with the whole of the lands of the colony upon the same system—by Crown grant issued to Europeans. Then the Crown should have inquired into the beneficial interests which the Natives possessed in the land of the colony, and should have equitably provided for them.

1216. And there never could have been any dispute about titles?—No, there never could have been any such disputes about titles as now render titles to Native land so uncertain; it is too late now to retrace our steps, but, as far as possible, I think some system should be introduced which would have the effect of vesting all Native land the title to which has not yet been determined in the Crown, leaving the Crown to deal with the Natives equitably for their beneficial interest in such lands. This, however, is a large question, and I do not feel qualified to express any certain opinion on it.

AUCKLAND, 18TH APRIL, 1891.

Mr. JOHN LUNDON sworn and examined.

1217. *Mr. Rees.*] Your name is John Lundon?—Yes.

1218. You were formerly a member of the General Assembly for the Bay of Islands District, were you not?—Yes.

1219. Have you had experience and knowledge of the working of the Native Land Court, and of the operation of the Native-land laws?—I have studied the Native-land laws, and I have been repeatedly in the Native Land Court.

1220. Since when have you had this experience?—Since 1870. I have been interested in the Natives, and in Native land, from that time up to the present.

1221. In regard to the Native Land Court, Mr. Lundon, do you know whether the Natives complain of the fees charged in that Court?—They do; and speaking for the northern Natives, who are the only Natives of whom I have had much experience, I can say that they object to the waste of time in the proceedings of the Court before any result is arrived at. There are a great many adjournments, a great many delays of one sort and another, and a great deal of shifting about from one place to another without completing anything.

1222. That seems to be universal in connection with this Court, and not to be merely confined to the North?—I attended a sitting of the Court at Opotiki, and I noticed the same thing there,