exactly the same process again before the Chief Judge in open Court before the deed was forwarded on to the Governor for his warrant. It seems to be an excessive caution, and is also an expensive proceeding. Really no fresh inquiry is made, but simply the same inquiry made twice over. I may also point out that it would appear that this extra precaution is taken when the whole of the land is dealt with; while in cases where a person obtains a share in the land, and then gets a partition order, the certificate of title seems to issue to him without this superfluous inquiry which is provided for by section 4. As a matter of practice, I might suggest that where leases and transfers are dealt with in respect of land in the transition stage, it would be convenient to have a provision made that such leases and transfers should be done on the forms accepted under the Land Transfer Act. My reason for suggesting that is, that it sometimes happens, after the lease or transfer is signed, altogether or partially, that the land is brought under the provisions of the Land Transfer Act, and then, if the deed is not on the proper form, there is some trouble to get the transaction registered. If, however, the recognised land-transfer forms were accepted from the start, that would get over the difficulty. I presume this first question is intended to refer to the alienation of lands by deed of lease, as well as transfer. I do not know that there is anything else in that respect to which I need call the attention of the Commissioners.

1438. Have you formed any opinion with regard to the question of a more prompt method of granting succession orders than that which now exists?—No, I do not know that on a question of detail like that I have formed any opinion. The whole question of succession orders is, to my mind, a great deal confused with regard to testamentary provisions. The powers of the Court in connection with wills seem to lead to a certain amount of confusion. I do not know that I can suggest any way by which succession orders could be expedited. The old practice was to get probate, and then on probate being granted to apply for the succession order. Otherwise there might have been a conflict of decisions, so to speak, between succession orders and wills. I have something to say with reference to the powers of the Native Land Court in regard to wills, but I thought my remarks on that head might more fitly apply to the second subject of reference.

1439. Then, will you kindly give us any information that you think to be material with regard to the second point of reference?—With respect to the general constitution, practice, and procedure of the Native Land Court, and in what respects they could be simplified or amended, I think it is obvious to any person who has much to do with the matter that there has been a multiplicity of conflicting legislative enactments, which has rendered the whole subject exceedingly cumbersome and beset with difficulty. A consolidation of these conflicting laws should be made, or, if possible, a simplification of them, and a reconstitution of the Court. There have been so many Acts brought into operation to give additional powers, or to remedy apparent inconveniences or abuses, that now we have a most complicated piece of machinery, the working of which is very troublesome indeed, and which leaves one in very great uncertainty as to its results. I mean, that there are so many points left dubious, both as to practice and construction. Of course, I have not come prepared with a scheme to take the place of the present system. That is a very large question—that is to say, on what lines the thing should be done. But I think, at any rate, that simpification is required, or, if not, a codification of the laws. There are some points in the practice of the Court to which I would like to call attention. The whole position, for instance, of trustees in Native matters is one I think that requires some consideration. Of course, there is the Maori Real Estate Management Act of 1888, which defines the duties and powers of trustees; but I cannot help thinking, as indeed one finds in actual practice, that it is absolutely impossible to expect that Native trustees will carry out, or at any rate do carry out, their trusts in the way which is contemplated according to English law. It is a thing totally unknown to them. In fact, the burden of trusts upon Europeans is almost every year becoming more and more intolerable through the decisions of the Courts, and a somewhat similar burden seems to me intended to be placed on Natives who act as trustees; and the consequence, as I say, is that it is almost impossible to expect that they can carry out their trusts, and in almost every case there is no *mala fides* whatever, but simply a want of knowledge of the actual position of affairs and of their duty in respect of their *cestui que trust*. If Maoris are for the future to continue to act as trustees, I think their position should be simplified very much, so that they may intelligently apprehend what is required of them and be able to do it, and that they should not, as at present, be expected to act in the same way as an English trustee has to act, working as he does with all our complicated machinery. There is another point in connection with which there seems to be some little confusion. The Maori Real Estate Management Act provides for the appointment of trustees by the Native Land Court; and the Supreme Court also claims the power of appointment and removal of trustees, as exemplified by the case of Toko Reihana *versus* Moore (New Zealand Law Reports, Vol. viii., page 323). Then, too, in cases where the trustees are appointed by will, there seems to be some question whether they have not also to come before the Native Land Court for appointment. At present, I do not think that anything has been done in regard to their appointment to negative the provisions of the Maori Real Estate Management Act that conflict with special instructions given under the will. With regard to the question of wills generally, I may point out that "The Native Land-laws Act Amendment Act, 1890," gives the Native Land Court concurrent jurisdiction with the Supreme Court as to probate of wills. I am not aware of any cases where there has been a collision in respect of that, but there might be inconvenience, and particularly of this kind: Under sections 44 and 49 of the Native Land Court Act of 1886 there is power given the Native Land Court to recognise an instrument which, though not a formal will, is considered by the Court as intended for such, and this peculiarity might arise: application might be made to the Supreme Court for probate of the will, and probate might be refused, on the ground that it was not an instrument on which probate could be given by the Court; and yet the same instrument might be afterwards taken to the Native Land Court and be given effect to, under sections 44 and 49 of the Native Land Court Act of 1886. I cannot help thinking that the whole question of testamentary disposi-