indefinitely delays the proceedings. Very frequently, indeed, do you see the Natives of the one hapu unable to agree amongst themselves. If, however, they would only consent to one manager acting for each side all this trouble would be avoided. I find in the course of investigating Native titles in the Native Land Court endless confusion, and this is accounted for by the simple reason that the matter is left to the whole body of them, instead of being confined to one representative for each party.

1464. It would save the time of the Court, then, and save the time of every one concerned, besides avoiding immense expense, if the plan I have outlined could be adopted?—No doubt. At present, when the matter comes into Court each individual desires to put forward his own claims, and eventually these are bound to clash one with another, and a great deal of time is wasted in consequence. If they would only select one man for each side, and would depend upon him, there would be no necessity for such prolonged sittings of the Court as is the case at present. This plan would greatly facilitate matters. There must be some arrangement made by which the Natives would definitely appoint somebody to act on their behalf, and abide by the result.

1465. It would have to be a compulsory arrangement as to that?—Yes. There would be great difficulty if any man should get up and say, notwithstanding, "I have not consented to this man acting on my behalf."

1466. If they settled the boundaries among themselves, they would simply go to the Court to get an investigation of the title. They would have to go there in any case. Nevertheless, the difficulties would be very much reduced that they otherwise would have to talk out in Court, and which might be the subject of prolonged investigation, as is now the case at Marton. In fact, these difficulties would be reduced to a minimum?—Certainly.

1467. It would also lead to a greater number of cases being got through than is the case now?—Of course it would lead to the constituting of a Native Court among themselves, and it would enable one man to represent to the Native Land Court the wishes of that party which he represents. At present you will see over and over again a number of Natives come to the Court here without having consented to any leader or manager acting for them, and each man putting forward a claim to the same land, even when these people belong to the same hapu. Your plan would be of very great advantage supposing it could be done by all who were concerned consenting to it.

1468. *Mr. Carroll.*] During your experience in the Native Land Court have you ever noticed that the Land Court has drifted into a new system of listening to and taking down extraneous evidence?—Yes.

1469. And that a great deal of delay is occasioned by the Court listening to evidence that does not seem to bear at all on the point at issue?—Yes; I quite agree with you. The regulations that were issued some time ago provided the Court with power for excluding extraneous evidence. I thought at that time the Judges would, at the outset of a case, have addressed the Natives, and said, "You must confine yourselves to the point at issue;" but I found some of the Judges leaving them to take their own course as before. Other Judges are very curt with the Natives; and no doubt the latter course has manifest advantages. There is no doubt of it, there is a tendency in the Native Land Court to allow a man too much latitude altogether. The Native witnesses go on day after day with endless repetitions of the same matter; or, even when one Native varies his statement from that made by another, the point it relates to has no reference whatever to the case. Ordinarily the Judges give the witnesses far too much latitude, and these regulations were passed with the view of affording them additional powers. I think the Natives should be made clearly to understand that they must restrict their evidence to what is material.

1470. You have known of cases being drawn out to a very unnecessary length?—Undoubtedly.

1471. Now, as to the question of rehearing. A Native, if he feels dissatisfied with the judgment of the Native Land Court, applies to the Chief Judge for a rehearing?—Yes.

1472. Under the existing law the Chief Judge is bound to hear in open Court argument for and against the application?—That has its disadvantages, and certainly its peculiarities. As far as the Acts are concerned, you are not even bound to state your reasons.

1473. That is the point I was coming to?—I remember on one occasion stating my intention on behalf of my Native clients to apply for rehearing in respect of a certain block of land.

1474. And you did not give your reasons?—I said that "the Acts do not demand them, but if I am asked I will give them." I mentioned the particular reasons I thought of at the time; but when I came to make the application I either dropped or did not take any notice of those grounds which would not assist my case. I included in the notice of intended application many things on which I did not rely at all.

1475. It has become apparent that the Native Department under the present system is inundated with all sorts of frivolous applications, and that the time of the Chief Judge is taken up with them in all parts of the Island; so it is found to be necessary to place a check on these applications; and the point is, what restrictions could be devised for the purpose of bringing them into a reasonable groove. It has been suggested that the system which prevails in European Courts should be followed in the Native Land Court—that is to say, upon any one applying for leave to appeal he should set forth the grounds on which he bases his application for appeal or rehearing. If the application is allowed, then the case is submitted to the Appeal Court and argued out there. That is one course that has been suggested to us?—Have you considered the question of security, for instance?

1476. At present, of course, every application has to be accompanied by a deposit of £5; but it is considered advisable to make that deposit a little higher in amount?—The ordinary form of application, as it stands at present, states that the applicant objects to the judgment; and any ground may be alleged, such as its being against the weight of evidence. But the Chief Judge has nothing to go upon in dealing with the application until the parties appear before him. I would suggest