1503. *Mr. Mackay.*] They are in a different position from that which is suggested for the Natives generally?—Certainly; I am only speaking from the sentimental point of view, and not from the legal point of view.

1504. I know that that is only the objection of certain persons in that body, but the general body do not object?—I was only stating the view of those I have spoken to.

1505. *Mr. Carroll.*] With regard to reference No. 3, respecting defective titles, do you think that some tribunal appointed on the same lines as those on which Commissioner Edwards was appointed under the Act of 1889, to inquire into the *bona fides* of each transaction, and not to report at all, but to decide finally right off, would be a necessary thing? In the case of Commissioner Edwards he had, of course, to report to Parliament, and had no power to decide?—I should much prefer to see the power of decision given to such a tribunal, for two reasons: Such a tribunal must necessarily be invested with a great deal of confidence, for it would be absurd to appoint it otherwise. Then, if you give it that you might just as well trust it also with the power of decision. You have its report, and you might just as well follow it.

1506. *Mr. Mackay.*] And its decision should be absolutely final?—Yes, I think that is the idea in anything of that kind. It should be an impartial tribunal.

1507. *Mr. Carroll.*] And the decisions of the tribunal hitherto have not been final?—I should be in favour of giving practically absolute power in reason.

1508. In cases in dispute between Natives and Europeans you would let the Commissioners, whoever they may be, hear them, and if they think the Natives are right let them decide in their favour, and if they think the Europeans are right let them give those Europeans good titles?—Yes. You must have some finality. If you have a satisfactory tribunal you could take your chance with it and leave the matter to its decision. It would be very much better than the present state of things.

1509. *Mr. Mackay.*] It should decide on grounds of equity and good conscience?—That is a phrase that is rather objectionable to us, because it is so much abused in the Resident Magistrate's Court. I know exactly, however, what you mean, and in that sense I should say Yes. But in the sense in which it is translated by Justices of the Peace I should not.

PALMERSTON NORTH, 29TH APRIL, 1891.

Mr. EDWARD NOLLOTH LIFFITON examined.

1510. *Mr. Rees.*] What is your occupation, Mr. Liffiton?—I am an auctioneer, and land and estate agent.

1511. Have you lived in this part of the North Island for any length of time?—For over thirty years.

1512. Have you become generally acquainted, during that time, with the methods of holding land by the Natives, and the methods of dealing in land with the Natives?—I have had some experience of the difficulties connected with land-dealings.

1513. In what way did these difficulties present themselves, and from what did they arise?—From the number of names in the various grants and certificates, and through reserves being made at hazard, apparently.

1514. Also containing many names?—Yes.

1515. Can you give us an idea of the numbers of names there would be in these certificates—that is, of course, generally speaking?—I have been informed that in the case of a reserve of 100 acres, and in another case of 300 acres on the Waitotara River, there were nearly four hundred names put in as owners. The effect of that is to make the land practically useless. This applies more particularly to Native reserves. Those cases I have just mentioned are cases of reserves that I know myself, and I should say they were of little value to the Natives. It is rough bush-land, situated over forty miles from the sea, and there is no Native settlement within a dozen miles or so. In fact, these reserves really appear to have been made at haphazard, just as if the Native said as a sort of afterthought, "I will sell you my block of land for so much, but I am going to cut 300 acres out of it"—as something he could make out of his bargain.

1516. In any other case, besides the reserves, do you know of instances in which large numbers of Natives have been put in the certificates by the Court?—I have frequently heard of such cases.

1517. Speaking from your experience as a land agent and auctioneer, would you say that it is a matter of difficulty and an expensive proceeding to get numbers of Natives to sign the different deeds that are required in land-dealings?—Yes. I have had some experience, too, as a Justice of the Peace in connection with friends and acquaintances who happened to buy Native lands, and who have asked me to go out with them in my official capacity to witness the signatures of Natives to these instruments.

1518. What has been your experience in respect to these as regards trouble and expense?—My experience has been that the trouble and expense incidental to these transactions are enormous—so much so, indeed, that I have often wondered that people can be found to take the trouble and go to the expense necessitated by having anything to do with Native land. I myself never would do so; and I have had, I think, exceptional opportunities.

1519. You consider, then, that, both as regards Natives and Europeans, the present system of dealing is bad: you see no redeeming feature in it at all?—No; and I can only account for its continuance on the supposition that the object of the present system is to prevent the transfer of land from the Natives, and to prevent the settlement of the country. If that is the object I should say it is a very good system for achieving those ends; but if it is intended by the system at present in vogue to aid in the settlement of the country and to bring about the transfer of land from the hands of the Natives I should certainly say it is as bad a system as it well could be.