1580. Then, in respect of large blocks individual interests are being obtained, but no complete titles?—That is so.

1581. During the last eight or ten years in the District of Hawke's Bay has the Native Land Court been successful in completing the titles to land to any considerable extent?—There has been a great number of rehearings, but the cost of putting the land through the Court has in many cases almost swallowed up the whole of the proceeds.

1582. I am very sorry to say that we are hearing the same thing everywhere. It is something shocking. There is no finality in the proceedings of the Native Land Court?—There seems to be none. Applications for rehearing seem to be made in almost every case, and that, of course, increases largely the amount of work to be done by the Court. It takes a great deal of time to even reach the application for rehearing, and then the Court is gazetted to take on other cases.

1583. Is this the procedure: The case is heard, then the application for rehearing is made by the dissatisfied parties, then that has to be heard as a substantive case, and then after that the rehearing has to come on if the application be granted?—Yes, it is gazetted again, and reheard before two Judges.

1584. Is it possible to have a further rehearing after that?—No; it goes to Parliament then if the parties are still dissatisfied, and there may be another rehearing on the subdivision.

1585. So that the proceedings are practically interminable?—Yes. Take, for instance, the case of the Waipiro Block, on the East Coast, in which a rehearing was granted. After that rehearing the case went before Parliament, and the parties got a second or Parliamentary rehearing, and I do not know whether the title is complete yet.

1586. Then, there is a dispute between the Judges, and the whole thing has to be taken before a new Judge?—And a new Assessor.

1587. Should you be inclined to say that the working of the Native Land Court and of the Native-land laws, as administered at the present time, is unsatisfactory?—I think so from this fact: that the time occupied in investigating a title extends to such an inordinate length that the value of the land is almost exhausted before a title is obtained.

1588. Are the Natives themselves satisfied, so far as you know?—They complain of the great cost, and also of the delay in bringing cases before the Court. In every Court there is a very large number of applications for succession orders, and these are frequently held in abeyance a very long time before they can be heard. Meanwhile the Natives interested, or who may be presumed to be entitled to them, cannot get their rents.

1589. Is there anything more you would like to suggest, or in respect to which you think reform should be made?—I think that would be the only reform I can suggest. I consider that the status of the Native Land Court should be maintained as much as possible. I do not think it should be reduced in any way, but the Judges should have absolute power to prohibit the appearance of either solicitors or agents, and that the Natives concerned should conduct their cases before the Judges.

1590. As they did in the olden times?—Yes; and the Judges should be appointed to particular districts, holding their Courts as near as possible to the situation of the lands under adjudication, and that wherever there is any question of landmarks the Judges should go on the land themselves, and there satisfy themselves on such points.

Mr. Edward Heathcote Williams examined.

1591. *Mr. Rees.*] You are a barrister and solicitor practising in Napier?—Yes.

1592. How long have you been practising here?—A little over seven years in Hawke's Bay.

1593. Have you had any experience in dealing in Native land?—Yes; I have had a good deal of experience. I have had experience both of the working of the Native Land Court and in connection with obtaining titles to Native land.

1594. In respect of the alienation of Native lands?—Yes.

1595. Now, in regard to proceedings in the Native Land Court, would you like to make any suggestions to the Commission?—To my mind the great fault in connection with the Native Land Court procedure is that it is far too lengthy, and, in fact, dilatory. I have appeared as counsel in several cases, and it has struck me very forcibly that the Judges are too apt to listen to any story the Natives may bring forward, without a proper regard to its relevancy or otherwise to the points at issue. And, if the Natives are allowed, they will go back sixteen generations, thus spinning out the cases to a very unnecessary length. I am sorry to say that from all appearances some conductors seem to consider that it is quite proper to spin out the proceedings to a length which seems to me to be quite unnecessary.

1596. What do you mean by "conductors"? Do they constitute this new class of Native agents?—Yes. There are conductors, however, who show a desire to shorten proceedings. Thus: I know of a case that was before the Court the other day on rehearing. It was suggested to the Judges that, instead of again examining the witnesses in chief, they should accept the evidence in chief previously given, subject to any alterations the witness might desire to make, and allow cross-examination on that evidence, and by that means the case would have been so expedited that it would only have occupied as many weeks as it would otherwise have taken months to complete the proceedings. The Judges thought it a good plan, and allowed it to be started. The next day the Judges said they could not follow the evidence themselves, so they directed the Natives to give their evidence as in the original case. The result was, that the Natives went back to a remote period, and the usual waste of time was the result.

1597. You say that this dilatoriness of the proceedings is one of the great faults in connection with the Native Land Court?—I think it is. To my mind the Judges are not quick enough in stopping evidence when it has nothing to do with the point at issue, fearing, I suppose, that if any