

74. Presuming, then, that the transactions are in good faith, but through some statutory provision not being complied with you are unable to get any relief for your clients: is that the case?—Yes, that is the position.

75. If the Commissioners had further powers granted to it to discard those provisions, would that do?—Yes; I believe it would. I believe that was the intention of the Act, to give relief where transactions were ascertained to be fair and just.

76. From what do the technicalities arise—from the contradictory state of the statutes?—Yes. From the difficulty of persons of ordinary ability interpreting them.

77. *Mr. Rees.*] I suppose you can say, as a legal practitioner, that the Courts are full of perplexing decisions?—Yes.

78. Can you advise clients as to dealings with Native lands at the present time?—No. That is the feeling of the whole profession. My advice is to my clients not to have anything to do with Native lands. Even in the simplest case—even in the case of a title under the Land Transfer Act—one would scarcely believe—it would be scarcely believed by a layman—the large amount of trouble that has to be gone to.

79. The cost of obtaining signatures to Native deeds is, I believe, very great?—Yes; very great and very hazardous. As I have already said, I would not advise any client to attempt to purchase Native land.

80. Do you think, *Mr. Skeet*, that if a measure was proposed by which titles to Native land should be given by the Crown, that would be an improvement on the present system?—I do not feel in a position to suggest a remedy, but no system could be worse than the present one for all purposes.

81. Do you think you could have any system as bad as the present?—No; I cannot conceive of it. Under the present system neither the European nor the Native gets justice. The Native does not get the value of the land, and the European is perplexed and surrounded with difficulties.

82. I suppose you are aware that there is a large amount of land locked up in this district fit for settlement?—Yes.

83. Can you say about what area?—I cannot state the area, but I can say that there is a large amount of valuable land adapted for settlement in the district that is locked up.

84. *Mr. Carroll.*] Do you mean Native land?—Yes; land held under memorial of ownership.

85. I suppose if that land could be made available, great impetus would be given to settlement in this district?—Yes; a great increase of settlement and population would take place as well as increase in the productive power of the district.

86. Where are these lands situated?—On the coast, in the Ngatiporou country, in the Waiapu Valley—principally up in the Waiapu country. I cannot mention any large blocks of land in the vicinity of Gisborne.

87. There are the Native Land Settlement Company lands?—There is very little Native land in the district, unless you go back to the Whakapunake and Tahora Blocks.

88. *Mr. Rees.*] There is nothing you would like to suggest by way of remedy?—No.

CECIL DE LAUTOUR sworn and examined.

89. *Mr. Rees.*] You are a barrister and solicitor of the Supreme Court of New Zealand?—Yes.

90. The first inquiry we have to make is, "What class or classes of cases have arisen which exhibit the defects in the present system of alienating or disposing of interests in Native lands, or in which non-compliance with existing laws has created or complicated or rendered defective titles where such lands have been equitably acquired or dealt with after the titles thereto have been investigated by the Native Land Court, and where such complication or defect still exists, and what remedy, if any, should be adopted in respect thereof?" That opens the whole question of the cases with which you have been concerned lately before *Mr. Commissioner Edwards*?—Yes; that is apart altogether from any suggestions as to reform in land-dealings.

91. The first heading divided itself into two main classes to considered—namely, the existing complications and the causes of them?—Yes. I first wanted to draw the Commissioners' attention to the machinery on foot for dealing with the question of the complications, because that is the most pressing. The 20th of this month—I think it is the 20th—is the last day for lodging applications, in Wellington, for the Commissioners appointed under the Act of 1889. That means that applications from this district will have to leave here this day week. We have good reason to know, although I think it is a mistaken view, that the Government will allow on presentation of applications to this Court, or the abstention from doing so, to operate as a mark of the *bona fides* or the absence of *bona fides*. So that persons are compelled to make their applications to the Court, although in nine cases out of ten they know that the Court as constituted is perfectly ineffective to give them any relief. In speaking here to-day, I am doing so on behalf of a great number of clients, who have not personally attended, but expect me to represent them. I may mention some of these clients: The Assets Company (it has large interests in this district), the Bank of New Zealand, Estates Company, *Mr. Percival Barker*, *Mr. Frederick Tiffen*, *Mr. Edward Murphy*, and others. I do not undertake to name them all. The Commission can accept my statement that they are substantial persons. There being so many clients, the cases are necessarily various, and will present on examination different degrees of *bona fides*. But I am only now speaking in the cases of those whose transactions will turn out to be perfectly fair, and whose deeds are technically defective from the want of knowledge by their agents employed in the earlier days of this settlement. The Commissioners' (*Messrs. Edwards and Ormsby*) Court has found itself compelled to hold that it cannot give relief in any case where there is the slightest technical defect in any deed, other than the defect in the number of owners signing. Having arrived at that decision, they have practically closed their Court, as, within my experience, it is a very, very rare exception that a deed can be found that will comply with the scale of exactitude that the