checking the action taken by Mr. Lundon. Accordingly a test case was selected in 1876, to be argued before Mr. Lawlor when holding his Revision Court at Russell, in that year. The case selected was that of Hone Mohi Tawhai, a chief who claimed in respect of a freehold of sufficient average value, and under Crown grant, but held in common between himself and seven other Natives. After argument by Mr. Carleton on the one part, and Honi Mohi on the other, Mr. Lawlor decided against the validity of the claim, and ordered Honi Mohi's name to be struck off the roll. The decision thus obtained was promptly acted on. The Registration Officer, Mr. Williams, took the earliest opportunity of objecting, in his official capacity, to many of the Maoris already on the roll, and to almost all the new claims made by Maoris, and in nearly all cases the objections were based on Mr. Lawlor's decision.

That decision was sustained by Mr. Lawlor in the succeeding year (1877), all the objections being held to be fatal to the claims. Those claims were, however, renewed by Mr. Lundon, and fresh ones added. During the registration period of last year no less than 373 Native claims to be placed on the electoral roll were preferred at his instance, and by means of his exertions. In that batch of claims too, it has to be observed, a new qualification (the household) made its appearance. These claims, up to a certain point, met with the usual fate—that is, they were objected to by the Registration Officer. But on this occasion Mr. Lundon and some of his Native friends determined to procure legal assistance, and sustain, if possible, before the Revision Court, the claims so objected to. About this time also the Government were strongly urged by Mr. Lundon and others to dismiss Mr. Williams from the office of Registration and Returning Officer. The reason given for the request appears to have been that, being brother of the sitting member, he would be apt to show partiality, and had, in fact, shown it already. The Government, it seems, were not unwilling, several months before the time at which the Revision Court was held, to call on Mr. Williams to resign; but, as a matter of fact, the request was not made until the 4th of June, the day previous to the date at which the Revision Court was to sit. Mr. Williams at once complied with the request so made, and called the attention of the Government to the fact that numerous objections had been made, and would have to be determined on the following day. Mr. (or Captain) Baker was therefore at once appointed to be Registration and Returning Officer, in place of Mr. Williams, and attended the Revision Court on the 5th of June in that capacity. Mr. Tole, a gentleman of the legal profession, and a member of the House of Representatives, was also present on behalf of certain of the Maori claimants. On the claims being called on for revision, Mr. Tole raised the preliminary technical objection that Edward Marsh Williams, Registration Officer for the Mongonui and Bay of Islands Electoral District, had then no legal existence, and that consequently the objections made by him fell to the ground. Mr. Lawlor, the Revising Officer, at once ruled that Mr. Tole's objection was fatal, and ordered the whole of the names objected to, including, as they did, dead, absent, and disqualified persons, to be placed on the roll for 1878 and 1879. The new Registration Officer, Mr. Baker, it may be remarked, remained in the Court inert and speechless during the short discussion between Mr. Tole and the Revising Officer.

In reference to the first decision of Mr. Lawlor, I have now to point out that there are, in the Bay of Islands electorate, three classes of title to land held in common by Maoris who have claimed to be placed on the electoral roll as freeholders — first, land held under Crown grant; second, land certified to Native owners under the Native Land Act; third, land certified to a tribe. In regard to the second and third classes, I think that they may be dismissed as not being freehold of a sufficiently definite character, as regards individuals, to confer a right to the franchise. The first class, or land held under a Crown grant, is, I apprehend, in a different position. The position of the owners in a Crown grant I believe to be that of tenants in common, taking (save in exceptional instances) in distinct moieties, and is one therefore, as I believe and am advised, which entitles to the franchise, if the freehold is of sufficient value. In the test case decided by Mr. Lawlor, the freehold was of sufficient value to satisfy the requirements of clause 7 of the Constitution Act. Mr. Lawlor's decision appears therefore to have been unsound, and consequently objections founded upon it were unsound also. But it has to be specially remarked that only a small proportion of the claimants possess the freehold qualification which I think entitles to the franchise. Of the 373 claims preferred by Maoris and half-castes during the registration period of 1878, I find, from positive evidence from official records, that no less than 213 are based merely on certificates of title under the Native Land Act, 97 claims being actually made on a single tribal certificate. The closest calculation I can make leads me to the conclusion that about 80 are made on Crown grants. But in some of the cases the land is of insufficient value, while in others more Natives have claimed than are on the grant. Making the necessary deduction, I believe the number entitled to the franchise on the freehold qualification to be under 50. Some of this number possess the additional qualification of a sufficient household, and outside of these there are about 20 who also possess a sufficient household qualification, and who, having claimed in respect of it, are entitled to be on the roll. Assuming, then, that the actual qualifications described in the claims preferred were the sole subject for consideration, of the 373 claims already alluded to as having been preferred in 1878, 70 ought to have been allowed, and the remainder disallowed. But when the mode is considered in which the claims were got up or prepared, it will be seen that the number of valid claims preferred in 1878 must be still further reduced indefinitely.