

111. Up to the present time have children of all denominations received education?—Yes, I believe so. I say that the question whether it is a grant to the Church of England is a matter that should be settled by the Supreme Court, if there is any doubt about it. This is the first time in my life I ever heard of such a proposal as the present—that is, to divert a Trust from its object because Trustees failed of their duty. If it were proposed to deprive, say, a minor of his property because his Trustee had neglected his duty, what would be thought of it?

112. Do you see any difference in this?—I do; but the analogy is certainly the same, the principle involved is the same.

113. *Hon. Mr. Gisborne.*] If Trustees mismanaged their Trust fresh ones should be appointed. Do you think there would be any objection to a local Board being appointed for this Trust?—I think that Trusts of the kind and character of this are managed better at a distance than in the locality. I would refer you to the case of Godwin. We found it advisable to get rid of him. What was the result? Why, the local people interfered, and wanted him to stay. As an illustration of my meaning, I think the Wellington College would have been much better managed had the Governors been residing at Christchurch or Napier.

114. Do you think the terms of the Trust have been carried out?—I do not think all the terms of the Trust can at the present time be carried out, especially industrial education. This fell through some years ago, partly because there were no funds, and, again, no white children or Maoris would attend. The industrial system was kept up for five years, and then it fell through. The question whether the terms of the Trust have been sufficiently adhered to or not is one which should be settled by the Supreme Court.

115. The whole question appears to be whether the Supreme Court or Parliament should deal with it?—By my reading of the Bill no provision is made for industrial training to be carried out.

116. *The Chairman.*] Would it be a fair inference to say that it was the intention of the Legislature to modify the object of the Trust?—It was an idea of my own that the terms or conditions might be modified. It is a question for a lawyer to decide whether a Court of law could not do this without the Legislature.

117. I suppose it would have to be done by the Legislature?—Perhaps it would. I am not certain whether the Courts of law could do it or not. On October 13th, 1865, it was resolved “to try and establish a grammar school on the estate (not excluding industrial) for both races, and to offer a good master £150 per annum and a house rent free, on condition of his teaching fifteen Maori scholars for that salary; and, further, boarding them and English scholars, if required, on terms to be agreed upon by the master and the attorneys.” This was the idea we had at that time. We found that people would not send their children to the industrial school.

118. Do all the Trustees reside in Wellington?—Yes.

119. Do they hold periodical meetings?—Not regularly. When there is any business to transact they meet for the purpose of doing it. If there was a payment of £5 to make, a meeting was called. The leases up to 1877, or nearly all of them, were relet for twenty-one years, so that there was really very little business to do—at any rate to oblige us to meet constantly.

120. Would it have been possible for the school to have been mismanaged without the Trustees being aware of the circumstances?—I think not. I found out that local people would not complain as a rule, but I obtained information of what went on.

121. Then you relied entirely on the good conduct of the teachers?—No. I, as one of the Trustees, occasionally visited Wanganui.

122. One of the questions in the evidence goes to show that it is the intention of the Trustees to confine the teaching to the Church of England?—That was an opinion of mine. I did not say the other Trustees held it.

123. Is that the intention?—I think so. I do not see any reason why we should now open our doors to all denominations. At any rate, that is my private feeling in the matter.

124. Do you see any objection to the appointment of a local Board?—Yes; I think it is undesirable, for reasons I mentioned before.

125. Is it not customary for governing bodies to meet periodically?—I am not aware. We meet when there is business. The local agent attends to details.

126. *Hon. Mr. Gisborne.*] You quoted some evidence of Mr. Peat's, with a view of throwing some discredit upon it. Are you aware that in 1869 a Commission by Messrs. Cooper, Hart, and Domett reported that this section or reserve comprised one-third of the Town of Wanganui?—Yes; I have made some remarks on that. It was Mr. Peat's idea that the land was originally laid out in quarter-acre sections. It is well known that a survey took place, and that it was so laid out on paper, and a map was sent Home that the land might be sold in London. It never was part of the Town of Wanganui before being granted to the Bishop of New Zealand.

127. I only want to ask if the report was corroborated by the Commission which sat?—It is well known that there was an impression that the reserve was part of the town, and that the Attorney-General gave his opinion against it on that assumption.

128. Your interpretation of the grant is that it is to be used for the purposes of the Church of England?—Yes; Mr. Hart admitted that in the report.

129. I see the report is signed by Messrs. Hart, Domett, and Cooper?—Yes.

130. Are you aware what this report says? They recommended that the land should be used for all denominations?—I am aware of that fact.

131. Can you reconcile that with what you think now? How could it be granted for one denomination?—I cannot. Perhaps he was out-voted on the Commission.

132. Are you aware whether Mr. Hart was the only Commissioner who went to Wanganui?—No.

133. Would you look at the grant, please?—I am looking at it.

134. Is it not intended that the land was given for the purpose of endowing the school for the maintenance of poor and destitute children?—I do not think so. That is a question better settled by lawyers. My own opinion is that the wording of the grant is quite clear.