1889. Do you think that they would work side by side with the Europeans?—Yes; they do it: and they appear to like to see the place progressing.

1890. You think they only want improved legislation and some simple system of settling the lands?—I do: in fact, I am sure of it. Both Europeans and Maoris are now working under difficulties, and they are working peaceably together. An odd man assists the Maori in threshing and cutting his grain. Of course he is paid for it.

1891. *Mr. Rees.*] Still, there is mutual assistance?—Yes.

1892. *Mr. Carroll.*] Of course you do not know anything about the particulars of this Oringi row?—No; I only know that the Maoris are squatting on the land.

1893. Which was under lease to Mr. Gaysford?—I saw Ihaia yesterday, and he told me that the Natives had not been paid rent for two years, and they could not stand it any longer, and were determined now to have either the money or the land. If it were cut up into small blocks and leased it would be of great advantage. Some of that land along the Manawatu Stream is as good land as ever plough was put into.

WELLINGTON, 12TH MAY, 1891.

Mr. FRANCIS HENRY DILLON BELL examined.

1894. *Mr. Rees.*] You are a barrister and solicitor practising in Wellington?—I am.

1895. How long have you been practising your profession in Wellington, Mr. Bell?—Sixteen years.

1896. During that time have you had means of ascertaining the operation of the existing Native-land laws from time to time with respect to the alienation of land from Natives to Europeans?—As a lawyer, yes; I have had a great deal of practice in cases connected with Native-land titles.

1897. Are you aware professionally of cases of titles which are invalidated or impeached at the present time, not by reason of any contention between Maoris and Europeans, but on account of technical omissions in the Acts?—I should say that by far the larger number of titles at present in dispute are in that category.

1898. And is it not believed by many of the profession that a considerable number of these are cases in respect of which no fault is imputed, but in which the difficulty is merely some technical or trivial omission?—I should say that it is so believed by many of the profession, and, in fact, I should think it is beyond doubt.

1899. Now, do you consider that it would be a proper thing, where there is no contention between the Maoris and Europeans, and where there is no actual illegality, that, in the interests of the public, as well as in the interests of the parties themselves, such titles should be validated?—Yes; I have no doubt about it. I think, however, that some means must be adopted to determine whether there is or is not fraud as well as mere technical omission or technical defect in the title.

1900. But, such means being employed, and this point being determined satisfactorily, so as to remove any doubt of fraud, do you consider that then these titles ought to be made valid and good?—I think the faith of the country is pledged to it. I think the Act of 1886 failed in its effect of intended validation by the use of language which was not fitted for the purpose, according to the view taken by the Court of Appeal.

1901. You mean, then, that the language of the Act, in the determination of the Courts, does not carry out the purpose of the Act?—Yes. I think this is almost admitted by those who had the carriage of the Act. Of course, I do not know what the Hon. Mr. Ballance thinks; but I read the debate on the subject, and I understand that the reason for the introduction into the Act of the sections was that they would have the effect of validating most of the defective titles—I mean the sections providing for inquiry before the Chief Judge. I think, moreover, that there is little doubt about the intention of Parliament in passing the Act of 1888, though here again it did not clearly express its intention.

1902. Under the 16th section of the Act?—Yes, of the Act of 1888. That is why I say that I think the faith of the country is pledged to it. The Act of 1886 repealed the two Acts which enabled pure chases to be completed, and the provision for completion in the Act of 1886 itself has failed, while the titles are left in this position not by any error of the persons who entered into the negotiations, but by the repeal effected by the Act of 1886.

1903. Which the Legislature intended to replace in 1888, but failed through the language it used?—So far as an humble outsider like myself can judge, I should say that is so.

1904. Now, in regard to cases other than those of mere technical omission or mistake, or where titles have been suddenly stopped in their completion—in regard, I mean, to cases where there is contentious matter, and in which questions have arisen between Natives and Europeans, what do you think should be done with these?—Well, I proposed to the Native Affairs Committee in 1889, when the Commission clauses were inserted in the Act, that, in lieu of establishing a Commission, to which the holder of the alleged title was the applicant for validation, the law should be amended by enabling any Native to apply to the Frauds Commissioner for investigation under the Frauds Prevention Act within a limited period after the passing of the Act of 1889, thus making the Native who alleged the complaint the applicant; and that the deeds should be validated after a limited period, except as to all such as had been the subject of applications to the Frauds Commissioner.

1905. Do you think that, having regard to the magnitude of some of the interests at stake, and the important questions raised, the Trust Commissioner would be a competent tribunal?—No; I have since been considering the matter, and I think I should have added to the proposal made to the Committee, when giving my evidence before it in 1889, that such applications as were made to the Frauds Commissioner should be dealt with by a special tribunal.

1906. On thinking it over you consider that that ought to be done?—Yes.