

from the Trusts for which they were originally granted, to objects of an entirely different character; and in one case gross misappropriation of the funds has taken place.

In all these cases, and in all those of obvious failure, it appears to the Commissioners that the only effectual remedy will be the removal of the Trustees and vesting the Estates in a responsible officer or officers. The evidence accompanying this and former Reports of the Commission seems abundant to prove that the evil to be remedied lies deeper than the mere appointment of Visitors or Auditors, periodically inquiring into the proceedings of Trustees and investigating accounts, could reach or remove.

The Commissioners, therefore, with a view to the maintenance of the rights of the persons beneficially interested in these Grants, and in order to secure to them the advantages contemplated when they were made, recommend that an Act should be introduced into the Legislature empowering the Government to appoint an Official Trustee or Trustees, in whom all these Estates should be vested, upon precisely the same Trusts (wherever these latter should not be considered positively illegal) as those for which they were originally given. These Trustees should be invested by the Act with powers to combine the funds accruing from any number of these Estates within the same district, given upon similar Trusts, whenever it should appear to them that the Trusts could be more effectively carried out by such combination. In these combinations, denominational distinctions and the appropriation of the lands for the children of persons of particular sects should, as far as possible, and whenever the beneficial objects of the Trusts would be better attained thereby, be disregarded. It is believed that by a judicious combination of this kind, at least one boarding-school in each district might be established, in which Maori children might, from the earliest age practicable, be lodged, educated, and brought up entirely as Europeans, both in habits and intellectual acquirements; and that thus some portion, however small, of the Native race might be rescued from the degradation and extinction that otherwise seems to threaten them.

With respect to all the above Estates or Institutions, as well as to the few which have been attended with success, the Commissioners recommend that a Commissioner should be appointed to whom all Trustees should, in the month of April in every year, furnish Reports showing the condition of the Trusts, and the degree in which the objects for which they were created are being effected; together with a balance sheet showing all the receipts and expenditure, assets and liabilities, connected with the Trusts during the previous year: such Commissioner to cause the accounts to be audited, and to send in a Report annually to the Governor, in time for presentation to both Houses of the Legislature. It may also be found advisable to vest in such Commissioner the necessary approval of all proposed dealings by the Trustees with the Trust properties, and to provide that the Trustees shall be indemnified when acting with such approval. Precedents of legislation in this direction will be found in "The Charitable Trust Estates Acts" (Imperial), 1853 to 1869.

The Commissioners abstain on the present occasion from particularizing the Institutions to which the above recommendations should severally be applied; but they are prepared to do this whenever they shall be apprised that the Government have consented to adopt the general principles on which their recommendations are founded.

One or two cases seem, however, to call for special remark.

#### I.—*Wellington Wesleyan Reserve.*

This Grant conveyed to the Superintendent of the Wesleyan Mission a portion of the Town Belt originally laid out as a recreation ground for the use of the inhabitants of the Town of Wellington. Acting on what appears to have been deemed competent legal advice, the Trustee, misinterpreting the provisions of "The Religious Charitable and Educational Trust Act, 1856," has conveyed the land to members