210. That is the only reason?—That is the main reason.

211. That the Council, when this Act is passed, has no power whatever to administer laws as may be enacted, or improve lands, or transact any dealings, without the consent of Messrs. Wi Pere and Carroll?—Messrs. Carroll and Wi Pere are compelled to bring the deed before the Validation Court.

212. Read down to "Council by deed" in section 11. You quoted this by saying that the Council had very little power. Am I correct in suggesting that you drew section 11?—Yes.

213. In the question of "selling, leasing, mortgaging, improving, or otherwise dealing with the said lands, and of all properties by this Act vested or hereafter to be vested in the Maori Council, shall be agreed upon between the trustees or beneficiaries and Council by deed," who are the trustees?—The trustees are the persons holding the land.

214. Messrs. Carroll and Wi Pere?—In some instances, or any other persons that come in the last part of the 10th section.

215. Take Messrs. Carroll and Wi Pere. Why the necessity? Why not leave these lands with them? They have to acquiesce in every transaction?—No. They have to create a deed between themselves and the Council which deed shall show the terms of management and so on, and which deed shall be submitted to the Validation Court.

216. Take your first part of section 11?—Allow me to state this: The section does this with the trustees or the beneficiaries. Where the majority of the beneficiaries would convey, they have to agree upon a deed of trust with the management; but where it is part of the bank securities—that is, where the lands are vested in the trustees through the Validation Court—there they must bring the validation before the trustees.

217. Before any selling, leasing, mortgaging, and improving of lands and properties can be done it has to be reduced to writing as between the trustees and the beneficiaries and the Council on the one part?—Yes.

218. And the trustees in some instances are Messrs. Carroll and Wi Pere?—Yes.

Mr. A. L. D. Fraser: In the Bill as originally drawn by Mr. Bell the trustees ran right through it.

219. *The Chairman.*] The trustees in the Bill are Messrs. Carroll and Wi Pere?—Yes.

220. And you have suggested that there are other trustees?—Yes. I do not want to hold those lands. There are other trustees in addition to Messrs. Carroll and Wi Pere.

221. Do you not think the Bill wants some amendment in the direction as suggested by Mr. Fraser?

222. *Sir W. R. Russell.*] Under clause 10 the whole thing passes from them?—Yes; but they have to make a deed for the management, which has to be validated by the Court. Read section 10: "All lands now held by the trustees, either by themselves or with other trustees, in trust for Native beneficiaries, and whether comprised in the securities hereinbefore referred to or not, shall immediately upon the passing of this Act and by virtue hereof be vested in the Council for an estate of fee-simple in possession, subject to the mortgages, securities, claims, and trusts affecting the same, and the title of the Council shall be indefeasible save as is herein provided; and all lands within the district formerly known as the Registrar's District of Gisborne, as the same was constituted under 'The Native Land Court Act, 1886,' held in trust for Natives, may be transferred to the Council by deed signed by a majority of the trustees holding such lands or beneficiaries respectively, to be held by the Council on the same trusts and liabilities as exist concerning the same at the time of such transfers; and upon such deeds or transfers being executed the title of the Council thereto shall be indefeasible, subject as aforesaid: Provided that, for all purposes of any Act relating to taxation, the bank shall continue to be liable only as if the equity of redemption of the lands mortgaged had continued to be vested in the trustees."

223. Surely that needs the attention of the trustees?—Yes; it is intended to do so by the trustees.

224. Where do the trustees come in?—They come in by section 11. You must read the two sections together. Or the words could be put in "subject to the deeds hereinafter mentioned," if there is any doubt about it.

225. *Mr. McNab.*] It seems to me that in section 10, in addition to the trusts and liabilities, there should be added also the trusts or liabilities which are comprised in the general condition of selling, leasing, mortgaging, and improving which is spoken of in section 11?—Yes, that would clearly cover it. Those words could be put in there.

226. It is the intention that that should be so?—Yes; not to pass this land away without any conditions, and that the conditions must come before the Validation Court.

227. Under section 11 the terms and conditions that have been referred to as having been consented to by Messrs. Carroll and Wi Pere are the general powers, the general terms and conditions which impose a trust upon the District Councils, and do not limit to specific acts of mortgaging or specific acts of selling or improving?—That is so; only general terms.

228. *Mr. A. L. D. Fraser.*] Why trustees or beneficiaries?—Because in some instances the trustees may be anxious to hand their lands over to the Council when there are so very many beneficiaries that it would take them a long time to get their consent; in others there would be no beneficiaries; and it would be wiser to get the consent of the beneficiaries under the Act.

229. Of course, there are no such trustees affected by this land?—Why are there trustees left out—"trustees or beneficiaries." Leave out "trustees" and put "beneficiaries" in there. I would suggest that "the trustees" be struck out, and "the majority of the beneficiaries" be put in.

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