

*Mr. Bell:* Yes, and have studied the whole question himself, and, whether he thought it was in the interests of the beneficiaries or not, I suggest he should have consulted the beneficiaries, and if they objected it was his duty to make known that objection to the powers that be.

*The Chairman:* And he should have consulted the chief Native owners.

*Mr. Bell:* I think he should, and I submit he should. There is this typical instance, which I mentioned in my opening also, with reference to the Public Trustee's memorandum on which my friend relies so much. Your Worships will remember that I pointed out that that memorandum came shortly after a memorandum in which he had said "There is not now sufficient land for the Natives, and these 18,000 are necessary for them," and he went on to say that the Natives must not be deprived of the right to compete.

*The Chairman:* That was the preceding one?

*Mr. Bell:* Yes, that was the preceding one. Then he made the memorandum on which my friend relies, and he suggested that practically what my friend asks should be given, and he explains his change of mind by saying that when he made his first memorandum he did not know that the lessees had been misled.

*The Chairman:* I was looking at that memorandum myself yesterday. Were they both made by the same Public Trustee?

*Mr. Bell:* Mr. Poynton made them both. He made the first memorandum practically backing up my position, and then he made the second backing up the lessees' position; and the reason for the change of mind was that he said he did not know when he made his first memorandum that the lessees had been misled.

*The Chairman:* Does he say that in his second memorandum?

*Mr. Bell:* Yes, but your Worships will see what he does: the lessees come to him and say, "We have been misled," and he accepts their assurance.

*The Chairman:* That is one of the questions we have to settle now.

*Mr. Bell:* Yes, and I do submit that it was obviously the Public Trustee's duty to inquire and not to take the lessees' word for it. That is why I say the administration has been wanting in backbone. I am leading up to this for a special reason: I am trying to induce your Worships to give me as strong a report as I can possibly have. Your Worships know that time after time Acts have gone on to the statute-book which, at any rate, the Natives say are not in their interests. These Acts have been passed without the Natives being consulted, and you have a concrete instance of the Public Trustee merely accepting the lessees' word and doing something which in an earlier report he had admitted would be against the Natives' interests.

*The Chairman:* What is the date of the second memorandum?

*Mr. Bell:* 1909, when the lessees were before the Lands Committee. Now, I had not intended to say more than I have said about the Public Trustee's administration, but I am compelled to say more owing to the attitude which Dr. Fitchett took up. Dr. Fitchett, so far as the office is concerned, was, of course, interested to defend the Public Trust administration. He defends it on two grounds: First, he says that the Act of 1881 said the Public Trustee was to be guided by "the interests of the Natives" and "the promotion of settlement," and he says that in my opening I put too much weight on the first and too little weight on the second. Surely the "promotion of settlement" means the promotion of settlement for the best interests of the Natives and