

to the whole community? You invite a man to bid, under what tenure?—that he should be paid his £5 at the end of his twenty-one years. And what does he do? What can you expect in all human nature? He put all the improvements that are necessary on to the land in the first two or three years to get it all out again, and after that the land can take care of itself. He will not spend another copper on it, and he will exhaust the thing to absolute bed-rock, and you cannot stop him under your lease. I invite you, sirs, to peruse the covenants in this lease framed in 1881, and, without any satirical comment, I submit that the lessor has no hold whatever under this lease. The lessee can farm the land just exactly as he chooses; he can be guilty of as bad farming as he desires, taking all he can out and putting nothing back; and you have got no hold upon him whatever, whether he is a white man or a Maori. In conclusion, I venture to think that you will not permit this state of affairs to be perpetuated. I hold no brief here to ask you to do a wrong to the Native. If he can be permitted to come in and bid with his white brother for these leases without doing the white man a wrong and without doing himself a wrong, and if it is to his interest and the interests of the State and the community that these leases should be perpetuated, that is an end of the whole case; but if, on the other hand, to allow him to come in is only encouraging him to grasp at something you cannot give him—the freehold of his land—then I say it is better for him, and in his own interests as well as the interests of the State, that once and for all this question should be terminated. The Act of 1892, let my friend call it what he will, has settled the whole of the difficulty along this coast. Under that Act these 1892 leases that are now running out will give the Native a source of revenue that he never imagined in his wildest dreams. The revaluations of 1892 on 5 per cent. will make the Native a rich man throughout Taranaki, and I say it without fear of contradiction. I say the Act of 1892 has been beneficent to the whole coast, and settled the whole of the Native difficulty. The Native should be encouraged to accept this tenure which tends to the advancement of the whole community. If the lessee is to have a fourth opportunity of coming in, let him pay for it—let him pay what is right and reasonable and equitable, and if he does not choose to avail himself of that right, then deal with the lands as you like. I do hope that this Commission will once and for all terminate the present system under which the lands are held, a system which was stigmatized by Dr. Fitchett as licentious, and I can find nothing to express it better. I know that one's sympathies, or, at any rate, the sympathy of any judicial mind, must lie towards the Native—he has suffered a great deal. Any efforts to elevate him we all feel should be encouraged by every legitimate means; but I do submit, sirs, in conclusion, that although we are desirous of helping our brother of another race, those efforts should not carry us away and force us to do something that will not assist him. I say that before he attempts to carry on the present system of farming as it should be carried on nowadays he has a lot to learn. With what he has and what he will have, with his increased rents in the future, there is nothing to prevent all his ambitions being still satisfied, the Native himself being assisted and being helped, and the lessee under this tenure of 1881 being given an opportunity of getting out of it at no unfair expense to the Native owner.

*Mr. Kerr:* There is one question I should like to ask, Mr. Bell, to see what you have to say about it. In referring to these reserves you seek to impress upon the Commission that the reserves were given in fulfilment of engagements and distinct contracts made with the Natives.

*Mr. Bell:* Yes, that is so. I do not know that I used the words “distinct contracts,” but engagements.

*Mr. Kerr:* Promises and engagements.

*Mr. Bell:* Yes. Your Worship asked me that same question before, and I said the grants were for three reasons.

*Mr. Kerr:* What I want to point out to you is this, and no reference has been made to it in the course of the investigation: You are aware that from time to time numerous compensation awards were given to the Natives in fulfilment of the engagements, and to my knowledge in one case there was an actually written agreement which was entered into by the agents of the Crown in dealing with the Natives. These compensation awards were ostensibly supposed to have been given in fulfilment of those arrangements that had been made. These reserves stand somewhat on a different basis, do they not?

*Mr. Bell:* I can answer that. In taking the reserves we confiscated not only the lands of the Natives, but the land we had already granted to the Natives in some cases in return for their loyalty. We made promises to give grants of land to different tribes. A Commission sat and decided what ought to be done. They said these reserves ought to be made, and in Hone Pihama's case we gave him the freehold. In other cases we gave the Natives land to live upon, because they were then in a state of unrest, and we had to do something to make peace. The reasons for the grants were the giving-back of the lands we promised to give, and giving land in consideration of the Natives laying down arms.

*Mr. Kerr:* With regard to the greater number of these reserves, were they not intended more as a provision for the Natives generally who had been deprived of their lands during the war—that is, the hostile Natives?

*Mr. Bell:* Well, your Worships will be able to judge from the reports of the Royal Commission. It seems to me that that is not so. What we did in giving back these lands was done in almost all cases in the fulfilment of promises, because we saw we had deprived the Native of what we had given him, or because we had to make peace with the tribes.

*Mr. Kerr:* It has been stated that the acquiring of these leases when they fall in will be a step towards the final acquisition of the freehold. What have you to say to the view that, at any rate, so long as the land remains vested in the Public Trustee he, at any rate, will be able to protect the Natives against their possible improvidence?

*Mr. Bell:* I did not argue before you that the Native ought to get the freehold. All I said was that the Native contends he should have the freehold. That question is not in dispute. He realizes that he cannot even ask for the freehold until he has shown that he has come of age, and he says that his chance of showing that he has come of age is to get