

kept by the District Commissioner at Taranaki. I know he kept a Journal of events—I cannot say positively whether he keeps it in a book or on loose papers which are filed. Copies of the papers containing the names of the Claimants have not been forwarded to the Office here—but the investigations made by Mr. Parris were submitted to me when I was at Taranaki.

20. Were the negotiations in connexion with the purchase conducted solely by the District Commissioner or did you take part in them?—I took part in the commencement of the investigation, when the purchase was initiated at Taranaki and instructed the District Commissioner how to proceed; I also took part myself in investigations having reference to Absentee Claimants.

21. [Mr. Fox.] You have referred to the alteration of Native tenures owing to disputes. By whose consent and in what manner have the ancient tenures been altered?—The original occupants have in many cases been swept off the country. The tenure has been changed in Taranaki by the Waikato conquest.

22. What evidence have you of such alteration?—The evidence of living witnesses who took part in the conquest.

23. When you say the tenures were altered, do you mean not that the laws by which the lands were held were changed, but that the ownership changed hands?—I mean that there was an entire change. The right of the original proprietors became vested in the conquerors.

24. If the tenure were changed in this sense, why did you buy of Te Teira, and not of the Waikato only?—The reason for buying from Te Teira, was that the Waikato title had been extinguished by the Government who purchased from them, and because the claims of the Ngatiawa had been subsequently readmitted by the Government.

25. You have spoken of the title of the Waikatos to the Waitara obtained by conquest, and referred to it as recognised by the Ngatiawas after their return from Waikato. Are you acquainted with the following statement of Mr. Protector Clarke on the subject contained in his Report dated Auckland, 17th October, 1843:—

“The claim to Taranaki preferred by the Waikato Natives is good, so far as they have taken possession; but they did not wholly succeed in driving the Natives out of that district, who maintained their independence by resorting to different parts along the coast. *I should therefore consider the principal right to land in the Taranaki district still vested in the original inhabitants.* Again the titles of tribes about Port Nicholson to land in the Taranaki district, cannot be wholly extinct, if they have kept up a friendly intercourse with the residents. * * * A tribe never ceases to maintain their title to the lands of their fathers, nor could a purchase be considered complete and valid without the consent of the original proprietors. * * * Possession of land even for a number of years does not give a right to alienate such property to Europeans, *without consent of the original donors of the land*; but it may be continued in the possession of the descendants of the grantee to the latest generation.”

—Do you consider this opinion of Mr. Clarke as being in conformity with those expressed by you in reference to the importance of the rights by conquest of the Waikato Tribe?—Mr. Clarke's views are not materially different from mine. He in the first instance recognized the Waikato right of conquest.

26. You have spoken of “new arrangements” being necessary in reference to the purchase of land at Taranaki, and referred to instructions given you by Sir George Grey on the subject. Were these “new arrangements” made with the consent of the Natives, and were they ever carried out?—The arrangements indicated in the instructions were carried out so far as they could be acted upon in the Taranaki district.

27. Do you mean that the Natives South of the Waitara were induced to remain North and to sell all their lands on the South?—No; the arrangements concluded at Taranaki did not then extend so far as Waitara. The instructions were part of a general scheme not confined exclusively to Waitara.

28. You have spoken of a notification of the sale having been given by you to the Southern Natives. Have you a copy of such notification?—I have a copy, I cannot produce it now, but shall be able to do so.

29. How, when, and where was such notification published?—I communicated by letter. It was not in the shape of a published notification. I addressed letters to those persons whom I believed to be claimants of the land in question.

30. Then if there are any claimants of whom you have not heard, such notification may probably not reach them?—I believe it to be an utter impossibility for them not to have known of the sale.

31. You are aware that King and five hundred of the Ngatiawas resided at Otaki and Waikanae for 21 years, and when they left many of the tribe remained there. Did you ever send your notification to, or visit those places to notify the intended sale of Waitara then, and did you ever investigate any claims or enquire whether there were any there?—At Waikanae; I did not personally investigate claims. I sent a copy of the Governor's speech at Taranaki to Otaki in the first instance. I am not so sure of having sent to Waikanae. I sent several copies to Otaki.

32. That was not a notification of Te Teira's sale?—It was not a notification of Te Teira's sale, but of the Governor's speech at Taranaki.

33. You have stated that Riwai Te Ahu had no claim. How can you be sure of this if you have never investigated claims at Otaki where he lived, nor notified the sale to him?—I am sure of it from this fact, that he once preferred a claim to land there which I investigated. I was under the impression that it was of considerable extent, but I found on inquiry from the parties through whom he claimed and whose names he gave, that his claims were really insignificant, and were situated near the