

Previous to the land being brought before the Court, the title had been well investigated, and all parties consulted. After it had passed the Court, had a private party been in negotiations for the land, it would have been only necessary to consult the grantees; but the Government acted otherwise, and took care that all parties likely to be interested should be duly informed of what was going on. This fact the petitioners admit; also, that negotiations were continued for eight months subsequently to the land passing the Court—before final sale was concluded. This, added to the circumstance that the transactions had to be carried on with eighty-six grantees residing in different parts of the country, is sufficient in itself to show it must have been well known to all concerned.

The Government had to deal with eighty-six grantees, seventy-seven of whom have signed the deed of sale, and taken their share of the money. The money, as apportioned by the arbitrators, is now lying in the bank for those who have not signed. Out of the nine who it may be said have not signed, five are in one block of 8,200 acres; the rest are scattered about singly in other blocks.

S. LOCKE.

28th February, 1873.

APPENDIX No. 11.

Case No. XXV. (Tamaki.)

Napier, 8th April, 1873.

The following are the words of Mr. Locke's document, to which I made objection. They are hereunder written:—

1. Locke says, That the purchase of Tamaki is an exceedingly good one. This word is false. If it had been a good purchase, no confusion would have arisen respecting it.

2. Locke says, The purchase of Tamaki was completed long ago, within five years. This is false. If the purchase of Tamaki had been completed long ago during those five years, what is the cause of there being trouble during the present year?

3. The showing by Locke of the rents of Tamaki is not correct. If anything had been said during the purchase of Tamaki in reference to rents, it would be correct to bring the matter before the Commissioners, to show them the correctness of his words; as it is, those lands were passed through the Court long ago, and leased during the years prior to that.

4. Locke says, There are £4,000 for the remaining persons who have not taken money. Who said the people were waiting for £4,000? The only thing for the people of Tamaki is the land, but the money must be given to those persons who require it for their maintenance.

5. Locke says, The survey of the Tamaki is correct. That map is incorrect. The first wrong is, that no Maoris went to conduct the surveyor on to the land. It was an unauthorized surveying by the Government. That Government had heard of the objection made by the Maoris, but still they went to survey. The second objection is, that the map of Tamaki, which was placed before the Native Land Court, was prepared from other plans of the land which had been purchased by the Government from the Maoris; that map did not rest within Mr. Fenton's *Gazette*. All Mr. Fenton's *Gazette* contained was a notice to have the land surveyed, and when the map was finished it would then be given to the Land Court to investigate the Native lands; it would then be correct. The Chief Judge did not say that the land should be investigated on the Government map. If that kind of plan had any effect, other lands would have been investigated on Government plans, for there are a number of small pieces of land remaining within the land which has been sold.

6. Locke says, That Heale is the chief of surveyors, and gave authority to the map of Tamaki. I object to this, for this reason. It was not us who engaged that surveyor. It was the Government who engaged their own surveyor. What would be the use of our talking before the Commissioners, if we had engaged that surveyor and then turned round to object? It is well that the explanation of this should be mentioned. But this: The Governor had his own surveyor, and that surveyor knows the Governor and his instructions. No; it was not the Maori people who turned to that surveyor and agreed to that map.

7. Locke says, That the Governor is a genius in managing the Maori tribes. It is false. The Governor is not a genius. If he is a genius, what is the cause of the Government disputing about the surveying? It is long since the Governor saw the objection by the Maoris. What is the reason of that Governor giving money to the Maoris who asked for the money of Tamaki? That Governor had heard that the management of Tamaki had been given to me. That Governor heard that I had brought Tamaki before the Parliament, that the right and the wrong might be looked into. That Governor had also heard that a Commission was to be appointed to inquire into all the wrongs, either of sales, leases, mortgages, or grants. That the Governor has seen that all the lands have been brought before the Commissioners, and also Tamaki. He has by stealth (*tahae*) given money to Hori Niania and Hori Ropiha. If he was a genius, no great trouble would have arisen in this Province. If he was a genius he would not have been tried (*whakawatia*) before the Commissioners. If that Governor had been a genius, a bad name would not have hung upon him. If that Governor had been a genius, the Parliament would not have appointed a Commission to inquire into the wrongs now standing before that Governor. If that Governor was a genius, the lands which have been sold by stealth, and mortgaged wrongfully, would not have been allowed in the Government documents. If that Governor was a genius, his interpreter would not have gone to the women and children, coaxing them by showing them money. If that Governor was a genius, the children would not have been allowed to sell or mortgage. If that Governor was a genius, the married women would not have gone to sell or mortgage.

8. Locke says, It was in consequence of the bush that the survey was not made on the ground. It is false. It is through him alone that the survey was made in the House. If it had not been objected to, they would not have remained in the House making the plan. The laws of the Court do not know the bush, the river, the cliff, or the lake, but work on that which is correct.

9. Locke says, This is a real selling of Tamaki. It is false. If it had been a real selling, no trouble would have arisen on that land.