

and Mercantile Agency Company (Limited). Area 86,502 acres, Banks County. Date, 20th July, 1876; antevesting date, 14th June, 1876.

3. When was purchase money paid?—Purchase money £13,152 3s. 9d. paid 14th June, 1876. It was tendered a few days before, but not accepted, because the Order in Council was not made.

8th October, 1877.

J. GILES.

APPENDIX C.

Copy of Questions put to Mr. B. C. Haggitt by Telegraph, together with his replies.

1. Would a contract or agreement for the purchase of waste lands not in conformity with law vitiate an election under "The Disqualification Act, 1870," or "The Disqualification Act, 1876"?—Not necessarily a contract for the sale and purchase of any waste lands not in accordance with the land regulations. The disposal of those particular lands would be void, and the Crown grant could be repealed on *scire facias*, but the illegal contract might not amount to the lands being "given" within the meaning of the Act 1876, nor "given for any service, work, matter, or thing" within the meaning of the Act of 1870. If the transaction virtually amounted to the lands being "given," it would no doubt disqualify the person engaged in it.

2. Suppose a person, disqualified at time of election under "Disqualification Act, 1870," be returned as elected, and the Act be repealed by Act of 1876, can a Committee of the House now, in 1877, say that person is disqualified and his election void?—The repeal of the Act of 1870 would not validate the election, which is declared null and void by section 10; the person was therefore never elected. Unless some rule of the House prevents action being now taken, I know of nothing in the law to prevent it.

3. Would a contract under Order in Council in *New Zealand Gazette* dated 12th June, 1876, page 403, work a disqualification under "The Disqualification Act, 1870," or "The Disqualification Act, 1876"?—The Order in Council is *ex facie* legal, so far as appears, to any person purchasing under the order, who would be purchasing the land in accordance with the law for the time being in force, and the transaction would therefore be excepted from the operation of both Disqualification Acts.

B. C. HAGGITT.

APPENDIX D.

Précis of Documents.

- 28/2/73.—T. Russell to Dr. Pollen. Forwarding his letter to Sir D. McLean.
 28/2/73.—T. Russell to Native Minister. Letter *re* great swamp and construction of road, &c.
 5/3/73.—Dr. Pollen to Native Minister. Forwarding Mr. Heale's plan of land.
 17/3/73.—Native Minister to Dr. Pollen. Asking for information and suggestions from Dr. Pollen to Mr. Heale.
 22/3/73.—Dr. Pollen. Suggestions and information as requested.
 8/4/73.—Dr. Pollen to Native Minister. Proposal not accepted by Russell; he requires allowance of 2s. 6d. per acre for making road.
 10/4/73.—Native Minister to Dr. Pollen. Russell's proposal quite fair; objections in regulations can be met by Order in Council.
 10/4/73.—Dr. Pollen to Native Minister. My proposals to Russell. Terms of sale.
 15/4/73.—T. Russell to Native Minister. Your terms too hard; will compromise by paying in two years instead of three.
 15/4/73.—Native Minister to Dr. Pollen. Russell telegraphs again, says proposals too hard, will agree if that is only obstacle.
 15/4/73.—Native Minister to T. Russell. Have told Pollen I agree to twelve months to pay 2s. 6d.; considered matter settled.
 15/4/73.—T. Russell to Native Minister. My heavy expenditure is sufficient guarantee.
 16/4/73.—Native Minister to T. Russell. I agree to accept 2s. 6d. per acre within two years.
 16/4/73.—Native Minister to Dr. Pollen. Have agreed to accept Russell's terms.
 16/4/73.—Dr. Pollen to Native Minister. Return Russell's letters, plan, &c., in order to close arrangements.
 17/4/73.—Dr. Pollen to T. Russell. Accepting terms of sale, &c.
 18/4/73.—Under Secretary, Native Office, to Dr. Pollen. Forwarding correspondence and plans as requested.
 4/3/74.—Dr. Pollen to Inspector of Surveys. Allotments in margin of swamp may be included in boundary, as they are required for drainage.
 4/3/74.—T. Heale. Boundary to be adopted.
 19/4/74.—D. Simpson to F. Whitaker. Report of work completed, &c., on swamp.
 30/4/74.—T. Heale. Memo. *re* Mr. Simpson's plan. Schedule of allotments on margin of swamp.
 1/5/74.—Dr. Pollen to Mr. Whitaker. All information *re* allotments in above. Order in Council *re* swamp land. Schedule of regulations of sale.
 4/7/74.—Mr. Haughton to Mr. O'Rorke. This draft should be submitted to Law Officer.
 9/7/74.—Law Officer to Under Secretary, Crown Lands. Are all the terms set forth in draft?
 11/7/74.—C. E. Haughton to Dr. Pollen. Please instruct me.
 11/7/74.—Dr. Pollen to Secretary, Crown Lands. Instructions as requested; recite facts without mention of names.
 14/8/74.—Memo. to Mr. Haughton. 1. Has road been approved of? 2. Are surveys made? 3. What done to acquire swamp beyond confiscated boundary? H. T. Clarke: Reply to 3. Mr. Mackay or Mr. Preece are negotiating. H. Masters: Reply to 1. Not yet settled. 2. Not yet surveyed.
 20/8/74.—Mr. O'Rorke to Under Secretary, Crown Lands. Regulations to be completed by Mr. Masters and revised by Mr. Reid. Mr. Masters' draft with Mr. Reid's amendments. Fair copy of regulations.
 23/7/74.—Mr. Mackay to Dr. Pollen. Suggesting line of road.
 13/8/74.—H. T. Clarke. Mr. Mackay's proposals seem reasonable.
 7/8/74.—T. Heale to Commissioner, Confiscated Lands. Suggestions *re* roads, &c.
 13/8/74.—C. Haughton to Assistant Law Officer. Draft regulations submitted.
 20/8/74.—W. S. Reid to Under Secretary, Crown Lands. Furnish me with synopsis of actual agreement.
 20/8/74.—Colonel St. John. Agreement between Sir D. McLean and Mr. T. Russell.
 24/8/74.—Native Minister. Get regulations printed. Captain Heale should decide line of road.
 20/8/74.—C. E. Haughton to Native Minister. No definite agreement between Government and Mr. Russell; the question *re* road is unsettled.
 9/10/74.—W. S. Reid to Mr. Haughton. Revised regulations.
 15/10/74.—C. E. Haughton to Colonel St. John. Draft regulations for approval of Native Minister.
 17/11/74.—D. Simpson. Extract from specifications.
 1/75.—T. Heale. This will never be serviceable.