

306. It appears to me somewhat inconsistent with that desire that they have recently sold to Morrin Brothers 6,000 acres adjoining Maukoro, fronting on to the Piako River?—I do not know anything about that.

307. Are you aware whether this Te Puninga Block was included in the Proclamation of the 22nd October, 1874?—My arrangement about the Te Puninga Block was before the Proclamation altogether. That agreement was signed in September, and the Proclamation was in October.

308. What object had the Government in making this Proclamation afterwards?—The Proclamation was a bad one, for this reason: it included from 1,000,000 to 2,000,000 of acres. It included a block probably near 100 miles in length, and they had no authority to make such a Proclamation. Their authority to issue a Proclamation was confined entirely to blocks of land required for gold mining, for settlement, and public works. It should have been confined to any particular land they wanted to buy; but they proclaimed a territory, which they had no authority whatever to do.

309. In the face of the invalidity of this Government Proclamation, was this land equally open to the general public to buy as for you to buy?—I suppose so.

310. What is the area which Tarapipipi claims?—Tarapipipi has established his claim to about 8,000 acres at Puninga.

311. How would it have been possible for the Government to have given you the Te Puninga and Ngatitamatera Blocks in exchange for this Maukoro Block unless they acquire them?—If they acquired them, they could under "The Land Claims Settlement Act, 1856;" but Dr. Pollen brought in a Bill which was thrown out, and there the whole thing ended. I have had no arrangement with the Government since.

312. This Bill contemplated that the Government should acquire this piece of land (Te Puninga)?—Yes; and on acquiring a title to that, they should then make an exchange with me. They were to obtain the Maukoro Block from me, and then arrange to give it to the Natives.

313. How did you manage to acquire the other block from the Ngatitamatera?—I have not a title to any as yet. The different blocks interlace each other. As soon as I found they were interlaced, I set to and dealt with some of them, and I am to get the title in six months from the time of the land passing through the Court.

314. What price did you pay to the Ngatitamatera?—5s. an acre.

315. What acreage was there?—About 4,000 acres.

316. Will you be able to get the 14,000 acres out of this and Puninga Block?—No; I shall be deficient.

STATEMENT NO. 1, HANDED IN BY THE HON. FREDERICK WHITAKER *re* PUNINGA.

PRIOR to the agreement made between myself and Dr. Pollen for the exchange of Maukoro for Puninga, I had frequently applied personally to Sir Donald McLean to get my Piako claim settled, and he as often promised to do so. I also negotiated with Hori Tipa, the principal chief of the friendly portion of the Ngatipaoa tribe, who, with Terapipipi's father, was the original seller of Maukoro to Webster in 1839. He also promised to make an arrangement, but from time to time put me off by saying wait a little, as the Hauhaus, Terapipipi's section of the tribe, would soon be all right. On two occasions I arranged for making a survey of Maukoro, but postponed doing so at the urgent request of both Sir Donald McLean and Hori Tipa, as they feared that my persisting would create a "Native difficulty." In 1874 my negotiations with Terapipipi were promising to come to a favourable conclusion, when about July in that year Mr. Mackay came to me and asked if I would part with Maukoro. I declined, and he again applied to me saying that if I would let the Natives have Maukoro he would get me an equal quantity of land elsewhere. Mr. Mackay said he was anxious, as the Ngatipaoa Natives would agree to sell to the Government 200,000 acres of land if they could get Maukoro back. After two or three interviews with him he asked me to see Dr. Pollen on the subject. I consented to do so, and I offered to make an exchange provided that I was allowed to select the land to be given me in exchange in six separate blocks, that being the number of selections I was entitled to make at Maukoro. This he refused, and ultimately it was agreed that I should select in two blocks. An agreement was signed, dated 22nd September, 1874. The land I was to get was called Puninga, and Mr. Mackay was at once to make the purchase, as the Natives were willing to sell provided they got Maukoro returned to them. My understanding was that the matter was to be completed at once, and the exchange of Maukoro for Puninga carried out under the 3rd section of "The Land Claims Settlement Extension Act, 1858." Subsequently Dr. Pollen, under the advice, I believe, of the Solicitor-General, declined to act on the section referred to, as the purchase-money for Puninga would have to be paid out of the loan raised under the Immigration and Public Works Acts for the purchase of Native lands, and section 6 of "The Immigration and Public Works Act, 1873," enacted that land purchased out of the money appropriated by that Act for the purchase of Native land should not be open for selection under any scrip, or be awarded or granted as compensation on any account whatever. I urged that a *bonâ fide* exchange did not come within the terms of the enactment, but Dr. Pollen was firm, and I was obliged to submit. The Piako Land Exchange Bill No 1, in order to enable the Government to carry out Dr. Pollen's agreement, was then brought into the Legislative Council and was referred to a Committee, who reported in its favour. On the third reading it was rejected by the casting vote of the Speaker. This was brought about by the active exertions of some members who acted in the interest of Mr. Heale, who had petitioned the House of Representatives on the subject. In this matter there was a misunderstanding. Mr. Heale had not a shadow of a claim, as can be seen by the correspondence between him and myself.

After the rejection of the Bill, I, being in Wellington at the time, applied to Sir Donald McLean to know what the Government intended to do; I also applied to Dr. Pollen, strongly urging that I had been badly treated, but I could get no satisfactory answer. On my return to Auckland, I reopened negotiations with Terapipipi, and after the dilatory proceedings which always attend Maori negotiations, we came to an arrangement by which I was to give him Maukoro with a Crown title, and he was to