

I contend that I have a right to claim the 2d. per acre on all the incomplete purchases, because I was ready to go on with them, had incurred all preliminary expenses, and would have been able to finish the work had I not been so summarily dismissed. I had never failed in one solitary block, and I had no reason to suppose that I should have failed in these cases.

68. Have the purchases of those lands been completed?—Yes; Mr. Preece completed them.

69. Are you aware whether Mr. Preece got commission on the purchases?—No; he is a salaried officer.

70. You considered what you had done enabled Mr. Preece to complete the purchases?—Yes; and I gave him material assistance subsequently.

71. *Mr. Macfarlane.*] You were always prepared to settle the matter?—Yes, before the judgment was got against me.

72. You were prepared to settle on the basis of receiving in full of your claims £169?—Yes.

THURSDAY, 8TH NOVEMBER, 1877.

MR. SHEEHAN, M.H.R., examined.

73. *The Chairman.*] The Committee are inquiring into the circumstances connected with the purchase of a block of land which is known as the Pakiri Block. You were a party to the sale, as one of the trustees of a Native infant named Wi Apo. You were one of the parties to that purchase?—Yes. I know exactly what the Committee are inquiring into; and perhaps it would be better for me to make a statement, and then to answer any questions the members of the Committee may put.

74. That is exactly what the Committee would like you to do. You have been furnished with a copy of the report of the Auditors, dated 5th March, 1877?—I have seen all these papers. I have been through them, and I may say they made my hair stand on end. I understand, so far as I can gather from the minute of Mr. FitzGerald, that the matter which I really have to answer to the Committee is the charge of having been concerned, fraudulently, with Mr. Brissenden, in "putting upon" the Government a title which could not be made good. That, I think, is the principal offence put on me, judging from Mr. FitzGerald's memorandum. I assume from that memorandum that the public aspect of the question is the one I have mentioned—namely, how far I was a party to this alleged fraud, in inducing the Government to purchase land for which no title could be given. The Committee will excuse me for travelling beyond that, because in these papers aspersions have been cast as to what became of the money. I should like, therefore, to be allowed to say a few things that I think will satisfy the Committee that there has been nothing improper in the distribution of the money. The Pakiri Block of 31,500 acres was passed through the Native Lands Court on the date mentioned—May, 1869. I was in attendance at the Court as solicitor, practising on account of Mr. J. B. Russell, of Auckland. I was retained by a Native chief named Kiri to put this block of land through the Court for him. He had applied for a grant to issue to his daughter, a woman named Rahui. As usually happens in such cases, the thing was discussed amongst the Natives outside while the other cases were being heard. A good deal of objection was raised; and, finally, a compromise was come to, by which he admitted the claim of Hori te More and also the claim of Arama Karaka; and Hori te More put his son's name into the grant instead of his own, being a very old man, and wishing to leave the land to his son. Arama Karaka and Kiri were personally on very bad terms with each other, and he would not have him in the grant, and therefore compromised by inserting the name of the infant, Wi Apo. The Judge of the Court (Mr. Rogan) asked me if I had any objection to become a trustee. I said I had no objection, though, as a matter of fact, I precluded myself from charging any professional fees in connection with the estate. The grant was issued to Panapa, son of Hori te More, and to Rahui, daughter of Kiri; and Arama Karaka and myself were made trustees for the infant. Nothing further transpired about the matter until about a year afterwards, I think, when Panapa, one of the grantees, coming to Auckland by boat, his vessel was capsized and he was drowned. Thereupon Hori te More sent in an application to be appointed successor of Panapa. Panapa had left an infant child. About the same time Hori te More and his people came to Auckland, and his first proceeding was to get into my debt. He got me to advance him sixty pounds' worth of goods, which I obtained at the establishment of J. S. Macfarlane and Co. I think it was in connection with his son's funeral. That is the amount which you will find referred to as the claim of Mr. Sheehan for £55 or £60. Early in 1872 Sir Donald McLean was in Auckland. I was then in the Provincial Government, and I got a message from him to call and see him in his temporary office in the Supreme Court Buildings. I went to see him on the same day, and he informed me in relation to this Pakiri Block that a Mr. John McLeod, then a member of the House, had a claim against Hori te More for £300 odd, for damages sustained by him, arising out of the escaped Waikato prisoners in 1865 or 1866. They went through Hori's land, and settled down at his settlement on the banks of the Kiapara, and plundered McLeod's store. The matter was referred to a Runanga, and a verdict was brought in against Hori te More. He agreed to pay McLeod back. McLeod was pressing very hard for payment of this money, and Sir Donald McLean asked me whether or not it was advisable this block should be sold, and that Hori should pay McLeod out of the proceeds. I took time to consider. A day or two afterwards I saw Sir Donald McLean again. I then informed him that I had come to the conclusion that it would, perhaps, be the best thing possible to have the block sold. The land is of a very inferior quality, and, although there is timber on the block, still it is very scattered, and could not be worked profitably by any large mill. I had further to bear in mind that it was quite on the cards that, by an alteration in the law, Native lands held under grant might become liable to highway rates, which I saw in the course of a few years would swamp the property. Every effort had been made to utilize the land by leasing it, but without success. I told Sir Donald McLean I was prepared, as far as I was concerned, to allow the property to be sold. We went into the further question of title. I explained to Sir Donald McLean that the position of the title was this: that the land was not an inalienable block, but that there was a minor

*Mr. E. T. Brissenden.*

Oct. 24, 1877.

*Mr. J. Sheehan, M.H.R.*

Nov. 8, 1877.