

would ever think of paying the whole of the purchase-money until the purchase was complete. I do not think Mr. Brissenden meant in any way to depart from the spirit of the agreement, or had any improper intention whatever.

83. *Mr. Montgomery.*] You took it for granted the money would be placed in the bank, to be operated on when the title was complete?—Yes.

84. You did not see it was done, but took it for granted it was, having a Government officer managing the transaction?—Yes.

85. *Mr. Stevens.*] It simply amounts to this: that the money was supposed to be ear-marked for the completion of the title?—Yes.

86. *Mr. Rees.*] Mr. Brissenden could not get a title until he paid the money?—No. Supposing the £800 had been handed over at the time, I should have been disposed to give it back until the title was complete.

87. *Mr. Montgomery.*] Were you aware that the Government was cognizant of this money remaining in the bank to the credit of Mr. Brissenden?—No; I could not say. I left the province within a week afterwards and settled in Hawke's Bay, and did not interfere in any business in Auckland since that time. I have been backwards and forwards.

88. *Mr. Rees.*] Did you receive any notification from the Auditor-General to attend any examination?—No; I was never called upon in any way.

89. Were you aware that he would make such a report?—Not until I saw the papers down below.

90. *Mr. Montgomery.*] What was that telegram you received from the Frauds Commissioner; I should like to see it?—I do not know whether I have it. The words are very distinct in my mind; it was as follows: *Re purchase:* Can you attend before me and give evidence before me as Frauds Commissioner respecting that transaction? I telegraphed as before-mentioned in reply.

91. *Mr. Ormond.*] Was there any communication from Colonel Haultain at the time of the second sitting of the Court?—I am not aware of any communication; there was no letter I can swear.

92. There were two distinct sittings of the Court held?—I do not know, I heard nothing of it.

93. There are two reports?—There is a sort of memorandum written at the request of the Government. He does not appear to have taken any evidence at that second sitting.

94. *Mr. Johnston.*] Has the purchase of the block been completed?—No; because they want this power to enable minors to sell. If that power was given it could be closed in a few days.

95. In signing that receipt, acknowledging that £800 was banked in your name, would not the Auditor fancy you could give them a clear title without paying another £800?—No; I do not think we should be liable. We are entitled to a further production of money to complete the title. No one has signed the agreement who is in a position to sell. I might point out one of the operations by Mr. Brissenden on that account was a payment to McLeod of the balance of his claim. That was perfectly right, and was authorized by the Government long before.

96. *Hon. Major Atkinson.*] Practically there will be very little given to them now?—There ought to be the whole of the £800, less the balance of McLeod's claim. The Government have paid Jones's claim as against Rahui's share.

SATURDAY, 10TH NOVEMBER, 1877.

Mr. E. T. BRISSENDEN re-examined.

97. *The Chairman.*] The Committee is in possession of the paper you sent in in the shape of a memorandum upon the report of the Commissioners of Audit. Is there anything you wish to add to that memorandum?—No, I do not think there is anything in respect to that. There are a few remarks which I should like to make in reference to my past services, which would perhaps be better put in writing than to occupy the time of the Committee.

98. There is one sentence in your memorandum which I think is imperfectly written. Did you refuse to have any concern in carrying out this matter?—No, I did not, as Mr. Sheehan was a party to the transfer of the block to the Government. On that account I felt at the time very little concern about its terminating rightly. I mean that I had no objection. I had confidence in the transaction, in consequence of Mr. Sheehan being a party to it.

99. You say here that you took up this purchase at the special request of Dr. Pollen?—Yes.

100. Had you a written communication from Dr. Pollen?—No; he was in Auckland at the time, and I used to call at his office.

101. *Mr. Ormond.*] In reference to this Pakiri purchase, do you now consider the thing can be completed?—Yes. If I had authority to do it, I would deliver 20,000 acres, more or less, to the Government within the space of six months. You know it takes that time to get a good title—that is, from the time the Court sits until a memorial of ownership can be obtained.

102. To what extent have the moneys already paid led to that result?—The moneys paid would of course be deducted, but I certainly think you could not get it at the same price now, because the timber has been considered of value, and it is surrounded with special settlements. Larger offers have been made, and the Natives have been told that they can repudiate the past transactions. I think I can purchase the block for 3s. an acre, and I would guarantee to do it for that.

103. *Hon. Mr. Reynolds.*] Would they not abide by their agreement?—It is very doubtful.

104. *Mr. Ormond.*] There is a minor in the case, is there not?—Yes, there are two infants in the case. There are three grantees, and the block has not been subdivided.

105. In reality, the only interest for which money has been paid is that held by the infant for whom Mr. Sheehan and Arama Karaka were trustees?—That is really the only one. It was explained to me that the Native custom would be carried out with regard to Hori te More—that is, his son having died, the property would revert to the father, and not to the son.

106. Then, in saying you think the purchase could be completed, have you any reason to know that Hori te More and the other relations of Panapa would complete the transaction at a price?—I saw Rahui and others, and they are quite willing and anxious to do it.

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

Nov. 8, 1877.

Mr. E. T. Brissenden.

Nov. 10, 1877.