

233. That is a very serious statement to make. Do you really wish that to be taken as you say it?—That has been my impression for some time. I should be very glad to be able to alter such an impression.

234. But still it is a fact, is it not, that people who have lived upon the land were not in the Crown grant, and therefore these may have felt seriously aggrieved?—Yes, it is a fact they are not in the Crown grant. But I brought a separate action in the Supreme Court against them to eject them, and I also obtained a verdict against them. They were trespassers.

235. What I meant by the question was, under the circumstances, is it not probable the real occupants of the land may have felt very seriously aggrieved by being turned off the land, and therefore it had assumed a political aspect?—I have every reason to believe, with a full knowledge of all the facts and all the circumstances connected with it, that unless the Natives had been led to believe resistance would succeed there would have been no ill-feeling at all about it. There were not, at that time, a dozen men living on the land.

236. Do you happen to know at all why the occupants of that land were not included in the grant?—No; I do not. Within the last few days I have read the evidence given by the surveyor at the time this action was tried by the Court in Napier. He produced his books and notes, in which his instructions were to survey the whole block. He was very positive then that the including the 163 acres in the survey was not a mistake. I was not personally acquainted with the block for some years after that, and I certainly could not suggest any reason why these people were not included in the grant.

237. Do you know whether Paora Torotoro and Rewi Houkere ever had lived on this land?—I do not think so. They never have since I have known them.

238. The evidence is conclusive to my mind the resident Natives did know of the selling. Do you not think it possible the occupants of the land would not have consented had they themselves been aware this piece was being put in?—I cannot say. There was no law nor practice for them to be there. They were there not in accordance with the orders of the Court—they were not legally there. For all I know, they may have been trespassers all along. In purchasing a piece of land I should always deal with the persons I found holding the legal title, and with no one else.

239. What I want to arrive at is, whether the real occupants of the land had been injured by the grantees, and therefore, being a political question, whether it should not have been ascertained whether compensation was due to them for a miscarriage of justice?—I suppose, unless we go behind the Crown grant, we are bound to suppose these people, at all events after the issue of the Crown grant, were trespassers; and therefore I cannot see there is any claim by them. I cannot see that they have suffered any wrong or any deprivation at all.

240. *Sir G. Grey.*] I think you said you gave £2,500 for this land?—Yes. That is for the whole block of 3,573 acres, I think.

241. Was that paid in money or goods?—Part in money and part in goods. The larger portion was paid in money.

242. How much was paid in money?—I cannot say from memory.

243. Have you any documents to show?—Of course I have the books showing it.

244. Then we could get direct evidence on that point if we desire it?—The books are in Napier. No one but myself could get them. They have been locked away for the last seven years.

245. These books will show the goods supplied to the Natives?—Undoubtedly.

246. Were accounts rendered to the Natives?—Yes.

247. I mean, were the accounts absolutely given to them—were there bills for the goods?—They were all offered, but were very seldom taken. The Natives generally came in and inspected the entries in the books periodically. In this particular case, my impression is there were not many invoices—perhaps not more than eight or ten—during the transaction. I know there were some, but not many, as a rule.

248. At the time of this trial in the Court of Appeal was the property mortgaged to you?—I cannot say.

249. You cannot say that?—I cannot say that. It had been mortgaged, and had been free for a long time. I think at that particular time it was not mortgaged.

250. What is the name of the person it was mortgaged to?—I am not certain that it was under mortgage at that time.

251. Could we ascertain that?—I do not know what the Committee has to do with my private affairs of that sort. I should be most happy to answer if it had anything to do with the question.

252. I think it has something to do with the question. I should like to know the name of the person it was mortgaged to at the time of this action?—I cannot say. My impression is, just at that time it was not mortgaged.

253. Whom was it mortgaged to?—I think it very likely it was mortgaged to the Colonial Bank, as far as I remember. I am not certain. I know it was once mortgaged, and it was mortgaged to no one but the bank.

254. Never to any one but the bank?—No. I believe now, at the very time of the trial in Napier, so far as my recollection goes, my solicitor went to the Colonial Bank for the certificate of title. That would show it was then under mortgage to the bank.

255. *Mr. Tawhai.*] How many times was the Oamarui Block surveyed?—I do not know. I never heard of it being surveyed up to that time but once.

256. Do you not know there was a separate survey of Oamarui, and a separate one also of Ngatihira?—The surveyor's evidence is very distinct that there was not—that it was one survey. I never even heard the name of Ngatihira until two years after it occurred. No man in Napier would know at that time where Ngatihira was.

257. Then did you hear from the surveyor that his survey was uninterrupted by the Natives—that he was allowed to make his survey without opposition?—I never spoke to the surveyor about it in my life, that I can remember. I heard him give evidence in Court. He was produced by the Natives. His evidence was that he had been instructed to survey the whole of the land, and he had surveyed it