

1886.
NEW ZEALAND.

CHARGES OF BRIBERY AGAINST CERTAIN NATIVE LAND COURT ASSESSORS

(REPORT OF INQUIRY BY MR. COMMISSIONER H. G. S. SMITH INTO.)

Presented to both Houses of the General Assembly by Command of His Excellency.

Mr. H. G. SETH SMITH to the Hon. the NATIVE MINISTER.

SIR,—

Auckland, February, 1886.

I have the honour to return herewith all papers relating to the charges of bribery against Waata Tipa and Pomare Kingi, together with my report of the proceedings upon the inquiry. I forward also for your consideration the claims of the witnesses for expenses.

I have, &c.,

The Hon. the Minister for Native Affairs, Wellington.

H. G. SETH SMITH.

SIR,—

Auckland, 15th February, 1886.

His Excellency the Governor having been pleased to intrust me with a Commission to inquire into certain charges of bribery made against Waata Tipa and Pomare Kingi, Native Assessors of the Native Land Court, I have now the honour to report as to my proceedings in the matter as follows:—

I.—In respect of the Charge against Waata Tipa.

1. I commenced this part of the inquiry at Cambridge on the 19th November, 1885. Waata Tipa did not attend. The evidence of Harry Simmons (Hare Teimana), Richard Thomas Blake, and William Moon was taken on oath.

2. I subsequently appointed the 22nd December, 1885, for the attendance of Waata Tipa in Auckland, in case he wished to make any statement. He did not attend; and, having regard to the evidence given at Cambridge, it seemed to me unnecessary to incur additional expense in pursuing the inquiry.

3. It appears that three several sums, of £10, £20, and £25, were lent by William Moon to Waata Tipa, on the 4th April, 10th May, and 12th November, 1884, respectively.

4. With regard to the payment of the sum of £25 on the 12th November, it appears that this payment was not made until after the decision of the Native Land Court in the Maungatautari case had been given, and therefore does not support any charge of bribery against the Assessor.

5. With regard to the two payments, of £10 and £20 respectively, it appears that those sums were lent to Waata Tipa by William Moon while the hearing of the Maungatautari case was pending, but, so far as I can ascertain, without any corrupt motive on the part of either party. A receipt for the sum of £20 was given, and both sums were repaid.

II.—In respect of the Charge against Pomare Kingi.

1. After one adjournment, at the request of Mr. J. M. Fraser, I began this part of the inquiry on the 22nd December, 1885. On that and subsequent days the evidence of Messrs. J. M. Fraser, W. L. Buller, William Jackson, and Pomare Kingi was taken; and, at the request of Messrs. Fraser and Buller, Mr. J. E. Macdonald, Chief Judge of the Native Land Court, was also examined, but on collateral matter only.

2. It appears from the evidence that, while the Rangipo case was pending before the Native Land Court, Pomare Kingi, being Native Assessor, borrowed the sum of £25 from the late John Sheehan, and gave a receipt for the amount. Mr. Fraser alleges that in the presence of himself and Pomare Kingi the receipt was destroyed by Mr. Sheehan. Pomare Kingi denies this, and alleges that he repaid the amount soon after he had borrowed it, and before the conclusion of the Rangipo case. I do not think there is sufficient evidence to sustain the charge of bribery.

3. Mr. Sheehan, at the time the sum of £25 was borrowed by Pomare Kingi, was acting as counsel for Mr. Moorhouse, one of the parties interested in the result of the Rangipo case.