

he was looked upon as the man who had a right to be consulted on all these things ; and it was really under Tareha's advice that the whole of the partition of the land took place. He looked on the Natives concerned as his people, as well those who had gone into rebellion as those who had not. Mr. Locke, in the end, made a recommendation. Sir Donald McLean, who was also acquainted with the various hapus, examined that agreement. The outcome of it all was an agreement for partition of the land, which Parliament confirmed by the Waikari-Mohaka Act. That was the agreement which Mr. Lewis, Under-Secretary of Native Affairs, has just read. That, to my mind, settled the whole business. Toha did raise a claim after the thing was done on account of his name having been omitted, and Mr. Locke stated that, in his opinion, Toha ought to be included. Then, if I recollect right, though I cannot find it disclosed by the papers, there was some money paid. My recollection is that that money was paid with the view of settling all these claims. After this lapse of time I cannot tell who the money went to ; but there was some money (£400 was the amount, I think) paid with that object. It was given to the officer (Mr. Locke) to distribute. My recollection is that this money went to satisfy the Natives who had claims. I cannot say who got the money, or how it was paid away, but I know that the officer was very painstaking, and thoroughly acquainted with all the circumstances. It was under his advice that the money was distributed. It was then thought that the whole question was settled. This explanation gives you my recollection of the circumstances under which the Waikari Act was passed, and the reasons why it was passed. So far as I can remember the objects that were sought to be obtained by the agreement, it dealt with the whole of the land, and, in as far as the confiscated lands were concerned, in a manner that the Crown had a right to do. You must remember that these lands were lands of a people who were in rebellion, and they were taken and given back by the Crown, in the way explained, with the view of compensating partly and partly in satisfaction of the claims of those who had been friendly to us and assisted us all through the disturbances. I think it would be an unwise thing to disturb the Act. I think any Government would hesitate very much before doing so.

2. *Mr. Monk.*] It was like many cases we know of where the great leading chief acted (by their mana) for the tribe in distributing money. For instance, in the north there were the great chiefs Taurau, Kuketai, and many others ; we know that many transactions with Natives were effected through the one chief?—The difference here is that this land was confiscated land, which was taken from the Natives, and belonged to the Crown.

3. But you throw the onus on the one chief?—I say that he was really consulted ; that his wishes, as one who had rendered great services, were taken into account when distributing the land.

4. *Mr. Carroll.*] I will move for the production of all the papers in the possession of the Government bearing on this question ; they would probably disclose several things of which we are ignorant at present ; meantime, I would ask, Mr. Ormond, Do you know any of the rebel Natives who were put into these blocks as owners?—I cannot name them, but they were all provided for ; they were provided for by that agreement. They had lands given them back.

5. You cannot go into the particulars?—No.

*The Chairman :* If the land was confiscated the Government had a right to put whom they liked on it.

*Mr. Carroll :* I would draw your attention to the paragraph that it should not be alienated, but held in trust for the loyal Natives.

6. *The Chairman.*] The land was theirs?—They took it as a gift from the Government, by arrangement.

7. *Mr. Carroll.*] Did they hand it over to the Government?—The loyal Natives ceded their rights to the Crown. Tareha gave up everything he had, and included it in the confiscation, if I may so say, and had it given back to him.

8. Was not the agreement between the Government and the loyal Natives this : that, after the Government had taken certain portions for Natives who were supposed to be rebels, they should return the balance, not to whom they liked, but to the loyal Natives?—Yes, that was for Mr. Locke to ascertain who they were ; he had an absolute knowledge of all these people ; no person could have a better knowledge.

9. Dealing also with the agreement, I think it is your opinion that these blocks were made inalienable, and there was a condition that they were to be held in trust?—Yes ; the Act says lands are to be inalienable, but not in trust.

10. Are the blocks now within the meaning of the agreement?—I should think so.

11. Do you not think it is time that all the beneficiaries under the trust were declared?—If you refer to the petitioner I have already said that you can ask Mr. Lewis for the particulars. I have a recollection of a sum of money passing as satisfaction. The only claim known outside which I have a recollection of was that of Tareha. I have a recollection of a sum of money being received ; it was sent to me as Government Agent, and it was expended in satisfaction of such claim. I would not like to say that I am absolutely correct about the amount, but I think so.

12. You say that Mr. Locke's proceedings in ascertaining the names of the owners were so public, that he paid so much care and attention to this duty, that no one could have been ignorant of them?—I think so. I have no shadow of doubt about it.

13. Will you say how Toha's name was left out if he had a claim?—I think that he did not request to have it put in ; it was not till afterwards it occurred to him. But they knew all about the Waikari Act as well as the people of the colony know that Parliament is sitting in Wellington. It was well known to the whole country-side after the conquest ; the whole thing was notorious.

14. Was there any open inquiry made to investigate these blocks that you are aware of, or was it all done with the assistance of Tareha?—There were lots of meetings ; lots of travelling.

15. According to your recollection?—My recollection is that Mr. Locke went to Taupo, to Mohaka, Petane, and a great many other places, and held meetings of Natives. Meetings were also held at Tareha's place. I know the whole thing took a long time to adjust.