

FitzGerald had recommended grants of 17,655 acres, and as the correspondence related only to 305H and 305J, the postscript can only have referred to the two small pieces of Mercury Island; yet it is made the basis of an argument (p. 110) that Webster was in undisturbed possession of large tracts of which he has been deprived. In 1847, Webster finally left New Zealand without protest or further communication with the Government of the colony.

42. He remained silent for eleven years, till in 1858 he put forward (p. 15) his claim for 6,573,750 dollars. As already stated, the United States Government twice refused (p. 129), in 1858 and 1869, to take up his case. In 1873 he was in England, and through his lawyers, Kimber and Ellis (p. 139), preferred his claims direct to the British Government. These gentlemen state (p. 140): "The principal claims preferred will be found shortly stated in the official *Gazette* of the New Zealand Government of the 26th May, 1842, and we have appended a schedule of them to this letter." As a matter of fact, the *Gazette* of that date only mentions two of Webster's claims, 305I and M. The schedule (p. 142) is as follows:—

No. of Claim.	Acreage.	Situation.
305	350	Coromandel Harbour.
305A	600	"
305B	1,500	On the River Thames.
305C	2,500	Coromandel Harbour, Taupiri.
305D	1,000	Waiau.
305E	About 100,000	Great Barrier Island.
305F	300	Motutaupiri.
305G	40,960	Point Rodney.
305H	...	We have not been able to trace this claim.
305I	3,000	On the Nickiaranga Creek.
305J	6,000	Big Mercury Island.
305K	80,000	Left bank of the River Brako.
305L	3,000	Wanaki, on the River Waihow.
305M	2,000	South-east side of the River Weahako.

43. Kimber and Ellis's letter was referred to the colony for report, and was fully answered (p. 90). While it was under consideration, Webster employed another agent, Mr. L. C. Duncan, to press his case upon the Colonial Office (pp. 89–97), and that correspondence closes with a letter from Mr. Duncan (p. 97), in which, on the 19th November, 1874, he states that he has "been thoroughly convinced that Mr. Webster is a person in whom no confidence whatever is to be placed." He adds his regret "that, deceived by his specious manner and plausible story—as no doubt many others have been—I should have caused the Colonial Office of Her Majesty's Government the trouble of investigating his claims anew."

44. Having failed in London, Webster returned to the United States, and (p. 119) in 1876 and 1880 applied to Congress. The application of 1876 had no result (p. 127); that of 1880 led to a favourable report (p. 132) from the Committee on Foreign Affairs, with a joint resolution requesting the President to take steps for the final adjustment and settlement of the claim. The President appears to have taken no action, and from the tone of Mr. Blaine's letter to Webster (p. 145) of the 21st June, 1881, it may be inferred that the Convention of 1853 was the obstacle.

45. Webster and his advisers must have felt that his case required strengthening if anything was to be made of it, for, on the 23rd February, 1884, he presented to Congress a further petition for assistance. In that petition (p. 119) is the following sentence:—

"Your petitioner here files an extract from the official *Gazette* of the New Zealand Government of May, 1842, which is also on file in the Colonial Office in London, by which the Land Commission of that Government conceded that he had proved title to about 240,000 acres of land, but for causes unknown to him failed to confirm the same. This extract is marked as enclosure No. 16."

This so-called extract is printed at p. 138, and is as follows:—

SCHEDULE of Titles proved before Commission.

No. of Claim.	Acreage.	Situation.
305	250	Coromandel Harbour.
305A	600	"
305B	1,500	On the River Thames.
305C	2,500	Coromandel Harbour, Taupiri.
305D	1,000	Waiau.
305E	About 100,000	Great Barrier Island.
305F	300	Motutaupiri.
305G	40,960	Point Rodney.
305H	...	We have not been able to trace this claim.
305I	3,000	On the Nickiaranga Creek.
305J	6,000	Big Mercury Island.
305K	80,000	Left bank of the River Brako.
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