

*Mr. E. T. Brisenden.*

31st Aug., 1875.

344. In whose favour?—In favour of the person who had been negotiating.

345. State to the Committee in how many instances that had taken place.—I was not called upon, I think, in any other case, to make that exception; but I made the statement that in cases where private individuals had been in negotiation, I had, I thought, the power to excise the portions for which they had been in negotiation, and to go on with the purchase of the rest of the block.

346. You made the statement generally, that you had a general authority?—Yes, where such cases came under our notice.

347. There were no cases except this of Mr. Stannus Jones that were so dealt with?—I think not. I do not bring any to mind. If such is the case, my correspondence will certainly point it out that such has been the case.

348. Had you any conversation with Colonel McDonnell in reference to this case?—It was with him I had the conversation, thinking at the time that I had repeated exactly what had been stated to me, that if in purchasing a block I found that a portion had formerly been in negotiation, then of course I could cut it off. Now I think of it, there is another piece called Tutamoe, on the Upper Wairoa, a piece of Parore's, which overlapped—a piece of 150 or 200 acres—which I ordered to be cut off at Parore's request. I was assured by himself, and also by Colonel McDonnell I think, that it had been paid for. The block passed through the Court without that piece.

349. These are the only two cases you acted in?—Yes. Of course, in cases of Maori reserves they cut off whatever they wanted. In the Victoria Valley, I agreed to one block of 200 or 300 acres. The Natives demanded that the reserve should be made.

350. Was it the place they used for their own occupation?—I believe so. In almost all the cases where they have made these reserves, no doubt it was with the intention of selling the land at a higher price. I have generally, at the Courts, been able to purchase the reserves. At Otangaroa I bought a block which had been divided into four pieces. They sold me, at first, No. 4 and No. 1, but I succeeded in purchasing the four before I left. There are generally Europeans knocking about, who suggest to the Natives to have pieces reserved.

351. Did you make any proposals to Colonel McDonnell that he should join you in certain land negotiations, and that you should share the profits between you?—No, never.

352. *Mr. Rolleston.*] When did you begin to purchase land for the Government?—In March last year; but I went north of Auckland first in June—the 17th or 15th. Colonel McDonnell was a passenger with me in the same boat. I there first became acquainted with him.

353. Had you been negotiating in any private land purchases prior to that?—Yes, very many.

354. Were any of these negotiations you had in hand taken over by the Government?—One; I may say two. I suffered severely under the circumstances. I came to New Zealand in 1868, and in 1869 I commenced negotiating for a large tract of country at the back of the Thames Gold Field, on the East Coast, on the Whangamatu Harbour and the Upper Tairua, of 70,000 or 80,000 acres. I had a great deal of Victorian capital to deal with. I conceived the idea that it would be a good speculation to buy that land, and I undertook it, there being no restriction at the time. After I had got it pretty well secured, the Government stepped in, and proclaimed the district. I had advanced £6,000 or £7,000, and had most of the land surveyed; and in 1872, when I was very ill, Mr. Thomas Russell, and Mr. James Mackay, who was then Agent for the Government, came to me, and endeavoured to get me to pass my rights to the Government. I only had liens for £1,950, I think, which covered the surveys. Mr. Russell was my legal adviser, and he advised me to allow the Government to have my rights and privileges. I was persuaded to do so. Eventually they paid me £1,500. I had promises from Mr. Mackay, which were not carried out—whether he had power to make them or not I do not know—that in purchasing for the Government I would get the money.

355. Had these agreements any force of law?—None whatever. Under the old Act only liens for surveys or expenses for passing through the Court were recognized. Any advances were simply made in good faith, but, though the Natives acknowledged the sums, I never got the money. The second case was in the Upper Waikato, in the Ngatiraukawa land, at Patetere and Waotu, adjoining the properties of Messrs. Buckland and Firth, on the south of the dividing range, between the east and west watersheds, at the back of Tauranga, taking in Te Niho-o-te-Kione, and the Waikato River on the west and south. That was estimated at 240,000 or 300,000 acres. I entered into negotiations for that.

356. On behalf of whom?—Of myself and others.

357. Who were the others?—Mr. Buckland, Mr. Russell, Mr. Tothill, Mr. T. Morrin, and myself—six of us. I succeeded in leasing the land, with the understanding that when we got it through the Court we were to purchase it. Our intention was to divide it into runs and occupy it, or cause it to be occupied. The Government again stepped in, and proclaimed the district under the Public Works Act, and I had to desist. I came down two Sessions ago, to see about the proper adjustment. The Government said it was too much for private individuals to get, that it would be unpopular, and that they could not in any shape or form agree to it. I had had a great deal of hard work in the matter, and had spent a good deal of personal money, as well as the Company's money. I had vouchers to the amount of £3,600, and the Government, after some months, took over my receipts and agreements, and paid £3,600 into Mr. Whitaker's hands for division.

358. How was it divided?—It was divided according to the calls which had been paid up by the different individuals. Personally, I took nothing. I had nothing for my services, nor had I put in any vouchers for what I had myself expended. I was careless about my expenses, and could not put in proper vouchers, and therefore did not attempt to put in any. I had my share as far as the calls were concerned.

359. Then you took service under the Government?—I did, some time after that.

360. What were the terms upon which you took service?—£2 2s. a day, and expenses, at first. I concluded that it would not be a paying thing for me to purchase lands on salary, and eventually I got it changed to a commission, and it is not of a very remunerative nature either.

361. Were you entitled to proceed with private transactions at the same time that you dealt for the Government?—No, I did not consider that I had any right to touch land in any shape or form. I have bought a farm in the Waikato since I have been in the Government service. I considered that I had no right to traffic in land, and I have not done it.