

90. You say these 14,000 acres, claimed by Mr. Whitaker, on the Piako, were claimed by the Ngatipaoa tribe?—Yes; they were very troublesome.

91. They are still there?—Yes.

92. It was no object of the Government to keep Natives of that kind there?—They have their lands there; they cannot live elsewhere.

93. That is not my question. It was no object of the Government to keep turbulent Natives in the vicinity of other settlements?—No. The desire of the Government was to make the Natives peaceable and well affected towards them.

94. What would have prevented the Government from purchasing this (Piako) piece of land from Mr. Whitaker?—I know of nothing. Perhaps Mr. Whitaker would not have sold.

95. You know the Government can by law take land for public purposes at a valuation?—Yes, European land; but they would find it difficult if they attempted to take land from Natives at a valuation.

96. I did not ask you that. You did not know that the Government had full power to do what they liked?—No. I knew they had power to take land from Europeans at a valuation, but understood that only applied to lands required for railways or military purposes.

97. Is this good land that has been lately acquired?—The greater proportion of it requires drainage.

98. Do you know whether Mr. Whitaker had sold any portion of the Puninga Block to a European named Fraser before he acquired a title?—Mr. Fraser told me that Mr. Whitaker agreed to sell him about 3,000 acres. Mr. Fraser then settled somewhere about here, in the Taupiri Block [pointing to map]. He had some cattle on it, but lately he sold the cattle.

99. Who ultimately completed the purchase of the land which Mr. Whitaker has recently acquired?—It was principally done by his own agent, George T. Wilkinson. I assisted him, because I wanted to get the thing done, in order to complete my own purchase for the Government.

100. You were the Government agent?—No; I was merely a commission agent. I have no appointment under the Colonial Government.

101. Were you present when the sale was completed?—I saw some of the deeds signed.

102. What o'clock at night was that?—I do not now know. Some I saw signed in the day-time; some at night.

103. You do not know whether that (Puninga No. 1 deed) was done at night?—It may have been. I have Natives at the office till late, sometimes.

104. You were not present at night when the sale was completed?—I was there when the sale was completed. I cannot say whether it was day or night. Some deeds are done in the day-time, and some at night. I do not recollect.

105. You do not recollect that it was done at night?—It is possible; a great many deeds are signed at night. I had a great deal of land business at that time; and worked a great many nights to 1 or 2 in the morning, with the Natives there.

106. Had you made arrangements for acquiring this land for the Government?—No. I was to get all the land except reserves. The stipulation was made by Tarapipipi and the Ngatipaoa tribe that Mr. Whitaker was to get that land there in lieu of this.

107. What was the date of that arrangement between Tarapipipi and Mr. Whitaker?—The first time that Tarapipipi spoke of this land to the Government was about 1870 or 1871. He came to Shortland to see Dr. Pollen, and he asked me to go with him and see whether this confiscated line could not be altered in some way; and also to see what could be done with Mr. Whitaker's claims. That was the first time I recollect of anything being done. It was the time we tried to get the telegraph line from the Miranda Redoubt to the Thames. After the telegraph line was through, and I was General Government Agent in the Waikato, Tarapipipi again brought up the question about the confiscated boundary. After a great deal of trouble, I got the confiscated line agreed to. When I commenced to purchase the 200,000 acres of land, Tarapipipi said he would not let Mr. Whitaker have the land in Hay's Piako Block. I said to Mr. Whitaker, when I went to see him, "Mr. Whitaker, would you exchange that land on the Piako for land between Piako and Waitoa?" He said "No." After that, I spoke to Dr. Pollen, who was Agent for the General Government in 1874, and it ended in Mr. Whitaker going to see Dr. Pollen. Dr. Pollen and Mr. Whitaker made an agreement that the exchange should be done; and I was told, as the Land Purchase Agent, that this exchange was to be carried out. That is all.

108. Do you mean that if the Natives had the land Mr. Whitaker was entitled to in Hay's Piako Block given to them by the Government, they would not have been satisfied?—If the Government could have given it to them, I should say they would be very glad to get it.

109. Then, if that had been done, and this land had been purchased in the ordinary way, would this land have been available for European settlers?—It would, if it was drained.

110. It would have been available for purchase?—Yes.

111. *The Chairman.*] What right had the Ngatipaoa tribe to give land belonging to the Ngatitamatera tribe in exchange to Mr. Whitaker for land which Mr. Whitaker owned down at Piako?—For this reason—that some of the Ngatipaoa Natives were the sole owners of Puninga Nos. 1 and 2 Blocks, and had also joint claims with Ngatitamatera over the other Puninga Blocks.

112. What was paid for this land between A B and the Waitoa River?—I do not know the total amount. I think at the rate of 5s. an acre.

113. Who paid for it?—The money was paid through Mr. Frederick Alexander Whitaker.

114. Who furnished the funds?—Mr. Whitaker, sen. (F. Whitaker), I presume. But Mr. Whitaker, jun., was the man who paid the money to the Natives.

115. And did he pay it to the grantees declared by the Court to be owners?—Yes; but he was to make some arrangement for the repayment of this money. Tarapipipi said, "That is the land I will give in exchange" (meaning the Puninga Blocks). On going to Court he failed in carrying out part of his agreement, and Mr. Whitaker had to pay the outside claimants.