

AT NEW PLYMOUTH, WEDNESDAY, 10TH MARCH, 1880.

Major BROWN further examined.

691. *The Commissioners.*] We understand that you wish to make a correction in the evidence which you gave at Hawera on the 26th February?—Yes. I was then asked, “Before you commenced the survey of the Plains did you receive instructions from the Government as to reserves? When they gave you instructions to go on with the survey of the Plains, did they give you instructions about Native reserves?” My answer to that was, “No.” I now wish to say that Mr. Sheehan did give me instructions to make reserves for the Natives, and he told Titokowaru and others, in my presence, that ample reserves would be made for them, comprising their fishing-stations, burial-grounds, cultivations, and settlements.

692. Do you remember when that occurred?—I could easily ascertain the date. Mr. Sheehan said that to Titokowaru twice in my presence.

693. Did Titokowaru appear satisfied with the promise?—No. His reply always was, “Go to Parihaka and talk about these matters.”

694. But you have already said, in your evidence on the 26th February, that you believe that if the reserves had been made at the commencement of the surveys there would have been no trouble?—I meant, if the reserves had been made in the inland portion.

695. If ample reserves had been made inland?—Yes, inland of the block line. But what annoyed the Natives, and seemed to them like negating Mr. Sheehan’s words, was that the surveyors kept cutting up the land into small blocks without reference to their cultivations or settlements.

696. Then, such being the case, why did you not follow out from the commencement what appeared to be Mr. Sheehan’s promise, and make the reserves at once?—I had all the notes for making these reserves, and I thought it would be submitted to me to make the reserves before the land was offered for sale, but this was not done.

697. It seems to us, in regard to your evidence at Hawera, and after considering again the telegram from Sir George Grey, that his telegram only suggests that proposals for reserves should come from you, in the first instance, to the Government, although you were prohibited from making them yourself or informing the Natives on the subject. Had you any reason for not making any proposals of reserves to the Government at that time?—Yes; because I had no intimation of the quantity the Government would approve of. I intended to propose the bare reserves that would be necessary, and until the Survey Office supplied me with the information I could not do that. I proposed, in the first instance, to recommend that all the cultivations, settlements, and burial-grounds should be reserved, in the same spirit in which my instructions were for the previous portion, and to confine it to that; I could not send in proposals in that shape to the Government without the particulars from the Survey Department, and in the meantime I was unable to tell the Natives that they would have these cultivations, &c., reserved for them.

698. But do you mean that the order which you had received not to communicate to the Natives any proposals to them for reserves, prevented you from being in a position to make practical proposals to the Government?—Yes; and from making practical proposals to the Natives. If I could have got the Natives to co-operate with me, that would have avoided the difficulty; but, as they would not co-operate with me, and as I was not in a position to place a specific proposal before them, I could not make a proposal to the Government until I had got the surveys made.

699. At the time when the surveyors were driven off, and at the subsequent date when the Government advertised the land for sale, did the Government know that no reserves had been made, and that, in point of fact, the reserves promised to Titokowaru and others had not been made?—They knew that from the published plans, which did not contain any reserves.

700. At the time, then, that the surveyors were turned off, and at the subsequent date when the lands were advertised for sale, the Natives were perfectly aware that the promise made to Titokowaru and other Natives that they should have reserves, had not been fulfilled?—I dare say some Pakeha-Maori would tell them of that, but I cannot say they were aware of it. I had all the particulars for putting these reserves on the plan; but the plan was not submitted to me for that purpose before the lands were advertised for sale.

701. Then do you mean us to understand that you were not even aware of the completion of the survey, and that the plans were not submitted to you for marking off reserves, until after the land had been advertised for sale?—Yes.

702. We have in your other evidence the history of how that was done on the plan?—Yes.

703. Was there not a reserve arranged by you, and known to the Chief Surveyor, for Manaia, inside the boundary of the block?—Yes, inside; and the fishing-grounds; but the other reserves were not.

[*The following minute by Major Brown, of 30th April, is inserted here for convenience of reference.*]

Major BROWN to the COMMISSIONERS.

New Plymouth, 30th April, 1880.

In my evidence, adverting to the telegram from Hon. Mr. Sheehan transmitting one from Sir George Grey, dated 15th February, 1879, instructing me that—“before any conclusion is come to regarding Native reserves in the Waimate Plains, or before any Native is informed by Major Brown on the subject, I would suggest that the Government should have the proposals before them, and consider them,” I stated that these instructions were the last pound that broke the camel’s back. At that time there were telegrams that I did not refer to, because I could not find them. They have been since found: namely, from the Hon. J. Ballance, dated 22nd May, 1878 (my reply is missing, but the purport of it, from memory, is appended), mine to the Hon. J. Sheehan, 1st February, 1879, and his reply, dated 7th February, 1879. To recapitulate, therefore, the difficulties that I laboured under. The telegram of the Hon. J. Sheehan of 1st December, 1877, stopped me from surveying the Plains in the middle of my preparations, when the Natives were expecting me; they had previously been informed,