

1197. Has the map you now put in been prepared under your own supervision?—Yes. It will, I think, readily illustrate the various stages through which the awards have passed as I have described, and also the Native reserves throughout the district. For the information connected with the last class of reserves—those made since 1873 to the present time—I am indebted to the Civil Commissioner, Major Brown.

AT HAWERA, TUESDAY, 23RD MARCH, 1880.

Mr. CHARLES FINNERTY, Assistant Surveyor, examined.

1198. *The Commissioners.*] You are Assistant District Surveyor?—Yes.

1199. You were employed lately in surveying part of the Waimate Plains?—Yes.

1200. We understand that you wish to make a statement with regard to an imputation which you think has been cast upon you about the road you laid off at Titokowaru's place?—Yes.

1201. Did you make a statement to the Chief Surveyor at New Plymouth on the subject?—I did.

1202. In the letter now before you?—That is a correct copy of it.

1203. At what time did you commence laying off the roads referred to in your letter?—I think you will find it stated in the letter. The dates were taken from my diary at New Plymouth during February and March, 1879. All the data and information were abstracted from them there.

1204. What we are to understand is that your survey of the road began after the 2nd March, when you took your chain and theodolite on the ground?—Yes.

1205. How long was that before the surveyors were turned off?—About three weeks.

1206. Was that the first indication of objection shown by Titokowaru to the road going in the direction you laid it off?—Yes; it was about the 7th or 8th March.

1207. What took place?—Several men came from the pa, surrounded the point at which I was working immediately opposite their *whare*, at the end of the block line running to the sea, saying that if I continued the line in that direction it would run into Titokowaru's settlement. I said I had no intention of carrying the block line further than their own cart road. I was at this time running at right angles to the road, and towards it; but I said that, if they wished it, I would turn the road from the point at which my theodolite was then standing, running towards their gate over fern land; and that I would not do any damage. After this statement they seemed fairly satisfied, so much so that good humour entirely prevailed amongst them, and they amused themselves by taking a view all round through my theodolite. They chatted and laughed with me for at least an hour, and left the ground that day without any further obstruction.

1208. Did you afterwards meet with any obstruction?—Yes; on the following day.

1209. What took place then?—They did not disturb me in any way until it was almost time to knock off work; when I was going close to that point, three men came over from Titokowaru's *kainga* and said that I must discontinue my work there; that Captain Wilson had been to them that morning on one of his periodical visits, and told them that I ought not to run that road; that he had already remonstrated with me about it; and that the Government had given no authority to do so.

1210. What was the remonstrance made to you by Captain Wilson?—He said he thought I ought to run the road in another direction, and pointed out a line some considerable distance seaward; he pointed out certain marks, which, I think, as nearly as my memory serves me, were about 30 chains distant. At Captain Wilson's request, I then spent some little time in endeavouring to find what, to myself, would appear to be a road worth running, and with a view to possible future traffic; but I could not do so to my own satisfaction, and, on that account, continued with my original design: and because of having experienced no obstruction.

1211. Then, after that, had you any further obstruction from the Natives when you reached Titokowaru's gate, and before you crossed the steep creek referred to in your letter?—Yes; the obstruction was, that on the evening of the day when Captain Wilson informed them that I had no business to run the road, they said that I need not come back to-morrow morning.

1212. You proceeded, however, to carry out the survey of the road as you wished?—Not until I had seen Major Brown.

1213. What took place between you and Major Brown?—Major Brown said that Captain Wilson had already reported that I was running the road injudiciously, and that he had fixed a time to come out and decide between us; that he would be glad if I would come in and see him on the subject, because of the great necessity which existed for preserving peace between ourselves and the Natives, and especially so with Titokowaru, who was to be treated with extra courtesy. I produced, for Major Brown's information, a diagram of the locality, explaining what I had already said and done, leaving the decision to himself.

1214. What did he decide?—He asked again whether I had carefully explored the locality, and whether, in my opinion, I could not find a good road by complying with the wish of the Maoris. I said, in reply, that nothing, short of taking the road so far seaward as to render it altogether worthless for settlement purposes, by bringing it so close to one road already established, would satisfy the Natives of the place.

1215. Did the Natives indicate any line that they would wish to have taken?—Yes; and said that anything nearer than that would not do.

1216. Do you suppose that, if you had taken their line, you would not have been obstructed?—No; but any other line would have been impracticable.

1217. On what account: on account of the steepness of the ground?—Yes, and its broken nature generally, and the numerous heads of gullies springing from the country over which they wished the road to go.

1218. Did you explain that to the Natives?—Yes, fully.

1219. Did they acquiesce in your view?—They would not listen to reason, and said I was not a man of much authority.