

balance, £800, was paid into the bank to be used when the title was complete. That money has since been drawn out—or a portion of it—by the Government. Mr. Sheehan, Adam Clark, and Hori te More signed a receipt for the full amount of £1,600.

Mr. R. J. Gill.

June 24, 1880.

9. Was Hori te More a trustee for the other interest you have spoken of?—Subsequent to the transaction he was appointed a trustee.

10. In conjunction with Mr. Sheehan and Adam Karaka?—No; for the other interest (Panapa's).

11. Then the petitioner is right in stating that the amount received by the trustees for Hori Hopa's sons was £400?—Yes; only the petitioner speaks of the sale being for £400.

12. *The Chairman.*] As I read the petition, it states that the share of the boys was £400?—The share of the interest was £800. The Native Land Court only awarded the land to one boy. There were two children, but one of the children only was appointed by the Native Land Court to succeed to the interest.

13. *Mr. Wakefield.*] Then the petition was right in stating that only £400 was paid, and would have been £800 if the whole of the money was paid?—It would be so.

14. But, instead of that, half the amount was paid in to the Government account as security for the completion of the sale?—Quite so.

15. Where is the receipt by Mr. Sheehan, Adam Clark, and Hori Mori?—It is in the Treasury.

16. *Captain Russell.*] What has become of the £400 that was paid in to a separate account, and apparently has been withdrawn since?—It has been returned to the Government, the purchase not having been completed. It is found impossible to buy the whole 31,000 acres, one of the grantees refusing to sell; and an application is now before the Native Land Court, which will be held at Kaipara on the 14th of next month for the subdivision of the land. The money having been paid to the trustees, I know nothing of what they have done with it.

17. *The Chairman.*] Is there no report made by the trustees to the Government in such cases?—No; they are appointed under Act.

18. *Mr. Wakefield.*] Is there any audit of trust accounts?—No. The Maori Real Estate Management Act is very particular as to how trustees can use their trusts. I think I am right in saying that the Supreme Court is the only authority to appeal to for redress. They are not Government trust accounts in any way.

19. *The Chairman.*] There is the other question, the petition of Matiti Kuha Taiki about this Pakiri Block. They complain that the land was secretly surveyed and taken from them?—After the Native Land Court investigated claims to the land, and made an award, it was competent for them to ask for a rehearing within six months; but that was not done.

20. Do you know these petitioners?—I do not; I never heard of them until I saw their names in Mr. Gittos's petition. I would mention that the statement in the petition that Mr. Sheehan recommended a rehearing must be a mistake. There is no power to grant a rehearing, except by special legislation, after the expiration of six months.

21. Then, practically, there is no redress for these people?—Except by special legislation for a rehearing.

22. *Mr. Wakefield.* Who would be likely to know these people? Would Mr. Lewis know them? Does not Major Te Wheoro know them?

*Major Te Wheoro.* I know the petitioners. Matiti Kuha Taika is an Assessor at Kaipara. Eruera Paikia is the son of old Paikia, one of the leading chiefs there. Heta is a younger brother. I do not know Tatana Waitahehe. I know the three first.

23. *The Chairman (to Mr. Gill).*] Does he know whether these men are connected with the original names in the deed?—The names mentioned in the certificate are the grantees for the land in the block. The Native Land Court made an absolute award to those three Natives.

*Major Te Wheoro.* I do not know their claims to the land; but I know that those who sold the land live at Mahurangi, and the objectors live at Kaipara. The land runs from one district to the other.

24. *Mr. Wakefield (to Mr. Gill).*] Was not this case brought before the Public Accounts Committee two years ago?—Not this particular case; but the whole of Pakiri was brought before them—the matter of the money payments.

25. And what was the result of that inquiry?—It was a question whether in any way fraud was mixed up with the Pakiri transaction in respect to Mr. Brissenden's payment of money that Mr. Sheehan had received. The inquiry rested more particularly on a memorandum by the Commissioners of Audit. The report of the Public Accounts Committee was to the effect that, after very carefully inquiring into the matter, the auditors were wrong in ascribing fraud either to Mr. Brissenden or any one else in connection with the matter, and they considered that Mr. Sheehan was in duty bound to see that the purchase of the block was completed as soon as the Act which was being brought into force in that session would allow. The Act would allow trustees to sell land as trustees. Under the Act under which Mr. Sheehan was appointed, the trustees have only power to lease land for twenty-one years, after the consent of the Governor; but the Act of 1877 gives trustees power to sell.

26. Have they completed the purchase of Pakiri so far as they could?—It is only waiting for the subdivision next July, when I hope it will be completed, and the balance of the money paid over. There are only three grantees, and one of them refuses to sell under any circumstances; and the object is to cut her interest out and complete the purchase of the other grantees' interests.

27. Do you know which part of the block this Mangawhare is in?—I do not.

28. *Mr. Tomoana.*] Were the children of Wi Apo entitled to £800 as their share?—One child is entitled to £800.

29. Was the whole of the £800 handed over to the trustees for that child?—No.

30. How much was given to the trustees?—I understood that the trustees had £400 of the £800 which was to be paid.

31. What was done with the balance?—It was not paid, because they were not in a position to complete the sale of the land.