

97. *Hon. Sir J. Hall.*] From your recollection of the 1868 Court, do you think Judge Fenton could throw any useful light on the subject?—I do not think he could, any more than he has done in this ample report of his.

FRIDAY, 6TH JULY, 1888.

Hon. Mr. ROLLESTON'S examination continued.

*Hon. the Chairman:* Before we go on to any fresh subject, it might be advisable to ask whether the Committee would like to ask Mr. Rolleston any supplementary questions with regard to the Ngaitahu purchase.

98. *Hon. Mr. Waterhouse.*] I see in the instructions to Mr. Mantell he was requested by the Government to keep a pocketbook or diary containing a full record of his negotiations with the Natives: are you aware that that diary was ever produced before any Committee or brought forward in any way?—I do not recollect. Mr. Mantell's report is very full upon the transactions in respect of the Ngaitahu Block, and in that report, so far as I recollect, there is no reference to this important subject of promises as part of the consideration, though no doubt it was part of his instructions that he should hold out to the Natives the inducements which would accrue from the introduction of European civilisation.

99. *Hon. Mr. Reynolds.*] Is there any document that shows instructions were given to Mr. Mantell as to verbal promises?—I do not recollect any document at this moment. At any rate, so far as I am aware, there is no reference in his report to the transactions, and 1856 was the first time that subject was prominently brought forward, the purchase having taken place in 1848. I am speaking now from memory, but that is my impression.

100. *Mr. Beetham.*] With respect to that one-tenth, it appears to have been set apart by the New Zealand Company as reserves for the use of the Natives. Is it not the case that the Government stepped into the position of Colonel Wakefield in that matter in concluding the purchase?—In respect of the Ngaitahu purchase and Murihiku purchase, no one who was acquainted with the documents contends for a moment that the subject of tenths was ever mentioned in that connection at all. No one has ever contended that except Messrs. Nairn and Smith.

101. And Mr. Mackay?—Oh no! He states expressly that does not apply. He states that with regard to the Otakou Block.

102. *Hon. Mr. Waterhouse.*] The Ngaitahu purchase was being negotiated for by Colonel Wakefield in the first place. I notice "Colonel Wakefield's purchase" on the map attached to the deed?—Kemp's deed unfortunately did contain the name of the agent of the New Zealand Company in it; but there was no negotiation by the Company that I am aware of.

*Mr. Morpeth, Native Office:* The instructions were direct from the Governor to Kemp.

103. *Hon. the Chairman.*] We might, I think, take the Murihiku Block now. Have you anything to say about that?—I have nothing more to say with regard to the Murihiku purchase. I have no special cognisance of any of the details of this purchase. Mr. Mackay states that the circumstances were very much similar in respect of hospitals and promises of aid from the Government to that of the Ngaitahu purchase. Mr. Mantell's report on the purchase is very full.

104. You have no special departmental acquaintance with it?—No; I have nothing that I could comment upon, and which would be of any use to the Committee.

105. As regards the Akaroa purchase, are you familiar with that?—There is nothing I have to say more than appears in Mr. Mackay's report.

106. *Hon. Sir J. Hall.*] Can you explain at all the fact that all that Akaroa Block was included in the Ngaitahu purchase, and, it seems to me, paid for a second time?—Doubts had arisen in respect of it; but I have no familiarity with the question which would enable me to give any evidence of value on the subject.

107. Was it the fact that some Natives came in and claimed they had not been paid? Do you know whether it was to the same Natives who received money on account of the Ngaitahu purchase that payments were made in respect of this block?—I have very little doubt that the payments were duplicated, but of that I am speaking from memory.

108. Do you recollect an Akaroa chief who came down at the time Mr. Hamilton made his payments? Was he paid for any claims in respect of the Ngaitahu Block?—I do not recollect.

109. *Hon. the Chairman.*] As regards the Otakou Block, have you any intimate acquaintance with the case?—I should like to say, with regard to the Otakou Block, that this is the block with regard to which the question of tenths arises, and with regard to this block alone of the claims under consideration. I have only an acquaintance with this claim from the date of the Committee which sat in 1882, when evidence was taken upon the subject. It appears from that evidence, as stated in the report of the Committee, that this question of tenths never arose until a date long subsequent to the purchase; and I would draw the attention of the Committee to the evidence upon which that report was made. Before that Committee, Mr. Mackay gives the following evidence in reply to Tairaroa: He states that a paragraph of Tairaroa's petition is at variance with all documentary evidence, and proceeds, "Captain Symonds, who made the Otago purchase, avoided making any arrangement with the Natives in reference to tenths. He made it a matter of special reference to the Governor.—Would not that substantiate what is in section 6—the fact of reference being made to the Governor about the tenths?—No; there was no understanding with the Natives that they should have tenths. The person who made the purchase specially avoided reference to it as far as the Natives were concerned.—Your knowledge is derived merely from the documents?—Entirely; I have no personal knowledge of the matter. I think it would be found, if Captain Symonds's evidence given before the Commission was turned up, that he corroborates the views expressed by me.—You mean the Commission which sat when Judge Smith and Mr. Nairn were Commissioners, that Captain Symonds and other witnesses gave evidence before?—Yes; I am