

the Ngatiwhatua. They were all assembled in a circle, and their people sat behind. Mr. Johnson was the Land Purchase Commissioner, and he had with him a bag containing eight hundred sovereigns.

639. That was the price agreed upon at the runanga of the people?—Yes. Mr. Johnson was an experienced man in these transactions, and he put his bag of sovereigns down in the centre of the circle. There it was, and there it remained for half an hour, and not a word spoken by anybody during that time. At last a ragged old chief named Te Wheinga got up. I may say that he had been banished to an old settlement on the other side of the river for having committed murder. It was not a *tika* or correct sort of murder, and he had been boycotted accordingly. Te Wheinga lifted up the bag, and put it down alongside Tirarau. There it remained for five minutes. Then Tirarau got up and gravely replaced it in the centre of the circle, where it remained for another five minutes. Then he lifted it up again, and placed it alongside Parore, his brother-in-law. Another five minutes elapsed, and then Parore, in his turn, returned it to the centre. During this proceeding I was struck with the dignity, and simplicity, and the consideration for one another's feelings which were manifested throughout. At last Pikea, chief of the conquered people, rose up, and put the bag alongside Tirarau, and there it remained. Another half-hour elapsed, and the feelings of the principal men having now been conciliated, Tirarau lifted up the bag, and, putting in his hand, took out a handful of sovereigns, and gave them to one of the chiefs. All were served alike, Tirarau in no instance troubling to count the money; but the amounts appeared to be pretty equal. I notice, that he gave a great deal to the ragged old chief Te Wheinga. Then, when all the money had been distributed, he lifted up the bag with both hands, and shook it to show that none remained. He did not leave a single sovereign for his own share. That took place in the days when the Maori chief was a gentleman. They would not do that now.

640. *Mr. Rees.*] Wi Pere is like that. I have known him to act in a similar manner to that.

*Witness:* He still preserves the old gentlemanly feeling then.

641. That was the method, then, of dealing with the land in the olden times. It was done in the presence of the whole of the people—publicly carried into effect, and the money was distributed by the representative people, the chiefs?—Yes. In cases where that was neglected it frequently happened that fresh claimants turned up, and had to be dealt with after the whole transaction was supposed to be completed. I remember that it happened on one occasion, when Mr. McLean—Mr. Stafford, I think, then being Premier—went to make the final settlement for some lands that had been purchased, he found that there were fresh claimants, and as these turned up they had to be paid also in order to complete the affair, for, of course, he was compelled so to acquire the land that colonists might safely occupy. Thus, there is the instance of the Island of Rangitoto, in the harbour of Auckland, which was bought four times: that was a good specimen. I do not know whether the records are in the Native Office. Some Natives claimed the island, and I sat upon the case. It turned out that the Government purchased four different times, and finally they got the right owners.

642. *Mr. Mackay.*] That will be in Mr. Turton's book, will it not?—I do not know, but I should think not.

643. There are copies of all Native deeds in this book—all that could be found. There is, for instance, the copy of the Orakei deed? There are many cases in which these deeds could not be found. There was the case of Tiritirimatangi, in which fresh claims were constantly being put in against the Government. The Government could not disclose its title, for it did not know it. The Court finally decided that the Crown was in possession, and no one else had shown a better title, so the claims must be dismissed. It turned out afterwards that there was a man in Court named Graham, who used to be something in the English Commissariat Department, who could have thrown much light upon the affair. He subsequently said to me, "I could have told you all about it." I said, "Why did you not then?" "Because," he replied, "the Government treated me in that matter very badly. I bought that land in 1838. It was taken from me by the Crown, and I have got nothing at all for it. That is the title of the Crown." I beg to refer the Commission to the report of this case, published in "Important Judgments."

644. In cases where the public negotiations were conducted properly, and due notice given to the Native claimants to appear, and in which the arrangements for the sale were made at Native meetings, the Natives being also publicly paid at these meetings, was there any repudiation on the part of the Natives of such contracts?—I do not know that I ever heard of any; I think not. That is, of course, assuming they were the right people.

645. Of course. You are aware that things have now drifted into such a position that the settlement of Native lands is at a deadlock?—You mean, by Europeans.

646. Yes?—I believe that it is so. For the last few years I have been up in a balloon, as it were, so far as these things are concerned. Still, I have had experience of that in my own case. I bought seven acres of land—a corner of a block of 300 acres, of which I held a twenty-one years' lease—because it contained a convenient landing-place for my boats. There was only one owner. He asked me £10 for the seven acres, and also wanted me to surrender the lease. I surrendered the lease, and paid him the £10 for the seven acres. He was perfectly satisfied, and thought he had done a good thing; but I cannot get a Crown title.

647. Why not?—The law does not provide for such cases. You can get a title for an undefined peice of land, share of an estate, but where it is defined you cannot get a title. My case has one advantage. I have full confidence in the vendor. I have his deed, witnessed by a Native Land Court Judge, and passed by the Trust Commissioner according to law, and the land was fairly bought for a due consideration. \*There I am on my land, and I escape all rates and taxes through want of a Crown title, so that I am not so very badly off after all.

648. Yet you cannot get or transmit a title?—No, nor do I want one so long as I am alive, or while my children are alive. We do not want to sell or to part with it.