

1250. Then it is simply a system of patronage that prevails there?—Yes. The patronage of men in office; not the the patronage of the Government, but the patronage of Civil servants in office.

1251. *Mr. Mackay.*] Do you know if it is a fact that the Natives have a great objection to the mixed schools which you recommend, on account of their children being treated with contempt by the European children?—I have never heard of such a case. My experience, on the contrary, is that the Natives are proud to have their children mix with the European children. They go to the schools and listen to what is going on, and they watch them at their sports. Two of my daughters were teaching in Native schools at Hokianga, when Sir Donald McLean was Native Minister, and my only son attended one of these schools as a pupil, and the Native children excelled him, although he had come from the school at Onehunga, and in spite of the fact that it was the first time that these Natives had had a school. The Native children are very sharp at the beginning, but they go off afterwards. The mixing of Natives and Europeans in the one school stimulates the former to be as good as the latter. With reference as to the main subject of land dealings, I might mention that there is a case at Hokianga Heads—it has been in the Court two or three times—where the Natives gave the Bryers family a valuable block of land at Pakia years ago.

1252. *Mr. Rees.*] Why was it given?—It was given to the mother of the Bryers, who is a Native woman of high rank, and now one of the sons claims it. He is on the Crown grant, and the others say it is not fair to them. The case was brought up again by one of the brothers before Judge Puckey lately, and the Natives say that the land was given for the family. I brought up a copy of the evidence to town the other day, and the parties interested are petitioning the House to carry out the intention of the Natives. According to Judge Puckey's ruling, he cannot do away with the Crown grant; but the evidence is that the land was given for the family, and not merely for one member of it. One member of the family—not the one holding the Crown grant—has built a public-house upon the land, and is living upon the ground, although he has no legal title, and has been living there for twenty years or more.

1253. Do you think that in such cases, if the law is against numbers of people getting the land, the law ought to be altered, and they should be permitted to get it?—Most decidedly. There is another case that I think ought to be brought before the Commission, and that is one in which the Government has done the Natives a great wrong.

1254. What case is that?—A case at Motukaraka, where the special settlers are now situated. The late Mr. Preece, who was a Native Land Purchase Commissioner for years, has in my own hearing tried to buy that land from the Natives, and he made reports to the House of Assembly, which will be found in the Journals of the House, that he would be able to get it in the following year, as the Government was very anxious to get it. There are reports to that effect from Mr. Preece, who was a Native land-purchase agent, and a very good, respectable man. The Government failed to buy it, and seized it under an old land-claim, because they alleged it was bought by the late Captain McDonald, previous to the Treaty of Waitangi.

1255. Who alleged, I presume, that he had purchased it from the Natives prior to that time?—Yes; but it was sold by Natives who had never lived on the ground, and the Native owners—not those who sold—came to Governor Fitzroy up here in Auckland about it, in, I believe, 1843, and Governor Fitzroy issued a Commission to Mr. White, the Resident Magistrate at Mangonui, and to Sir F. Dillon Bell, to act in the matter. The Commission came on the ground, Hone Mohi Tawhai's father and other influential chiefs being there. They made holes in the ground and placed little boys in them, so that when these little boys grew up to be men they should not forget the boundaries. The Government took that piece at that time in order to satisfy themselves for their claim in respect of that which Captain McDonald had given them, the Government having bought Captain McDonald's claim. The Natives would not sell the other portion of the land, but the Government since then have taken it and cut it for division among the special settlers. The other piece of land, that the Commissioners took as payment for Captain McDonald's old claim, the Government sold to Christopher Harris for the original owners at £2 per acre. Mr. Peter Dignan acted as their agent at the sale.

1256. You say, then, that the Government commenced to purchase the balance of the land from the Natives, but never completed the transaction?—No, the Government never purchased; they tried to, and failed. Mr. Preece tried for them year after year, and Judge von Stürmer of the Native Land Court is aware of that fact, and that Mr. Preece reported to the House that he had failed. It never went through the Land Court, of course.

1257. Do you remember a case in which Sir George Grey requested me to act, where a Native chief was put in prison for setting fire to fern or timber on land that belonged to himself?—Yes. The chief was Hohaia Patuone. He is the only living descendant of his generation of Tamati Waka Nene; his father, Eruera Patuone, having been Tamati Waka Nene's brother.

1258. What title has the Crown to that land?—The Crown has no title. It never has been, I believe, through the Land Court, nor even been in the Native Land Court. But a timber company has now got a Crown grant for it. The Native was sent to gaol in Auckland for three months because he would not pay the fine imposed on him. He petitioned the Governor; the petition was referred by His Excellency to the Ministers, and, on their recommendation, the Governor said he could not interfere. My daughter, being a licensed interpreter, wrote for Hohaia to Sir George Grey, drawing his attention to the case. She also wrote to the Hon. E. Mitchelson, Native Minister; and I petitioned His Excellency the Governor, who was then in Auckland, in Hohaia's behalf.

1259. Yes, and Sir George Grey handed the letters to me in order to see what could be done, but nothing could be done. The man has no money?—No; he is still living on the land. The fire went through the fern into the timber and he was punished, although he claims both the fern-land and the timber-land.