

to see Mr. McLean when a trouble arose with the settlers about opening the lake. He said to me, when I told him my errand, that the settlers had no right to open the lake, as he had promised, which he reminded me of, that no one should do so; and he further remarked, when I told him what the settlers complained of, that it was impossible they could have a grievance, as the land below high-water mark had not been purchased from the Natives. I mentioned that the settlers claimed to have purchased the land from the Provincial Government, to which he remarked, that Government would sell land in the moon if they could find purchasers for it. It was Captain Smith who first surveyed the boundary of high-water mark. I do not know who surveyed the Turakirae Block: was in Auckland when that was done. When I told Mr. McLean about the lake being opened by the settlers, he said that any person who put a spade in would be fined £50, as any attempt to open it would violate his purchase, and break faith with the Natives altogether. The opening of the lake has always been a vexed question, and the settlers have always paid for doing so, but the River Board has lately taken on itself to do so without recompensing the Natives. Mr. McLean told me that he had promised the Natives that the lake should not be opened. In reply to my statement to him about the settlers wanting to open the lake because their land was flooded, Mr. McLean made use of the following words, "It is impossible the settlers' land could be flooded, because the land below the flood-line had not been acquired." Am not acquainted with the lake beyond Turanganui, and am unable to say what effect the earthquake may have had upon it. There is good grazing-ground in places. Am unable to say what such land may be worth, owing to its being liable to be submerged for several months in the year. The only part of the lake that abuts my land is the part adjacent to the land that I bought from Raniera te Iho. I do not remember telling the Natives that I had declined to purchase some land adjacent to mine because I considered it belonged to them, because the Government had no title to it. The only land that I bought in that locality was Raniera's reserve. There is very little space between the reserve and the flood-line of the lake—there may probably be 200 acres. Raniera's Crown grant includes a portion of flooded land. Reserves were made in the Turakirae Block for Raniera te Iho and others. These lands were afterwards sold. Heard that the reserve at Waiarongomai was sold by Raniera te Iho, but I do not remember this occurrence.

*By Commissioner:* Cannot say whether the same understanding existed relative to high water-mark on the Turakirae Block. I was only interested in the Turanganui side, and did not concern myself about the Turakirae side, as the settlers in that locality did not seem anxious to have the lake opened. I prepared both the Turakirae and Turanganui deeds. Cannot explain the reason of the boundary being described in the deeds as following the margin of the lake if it was understood that the land was not to be ceded below high-water mark. The conversation with Mr. McLean referred to both sides of the lake, as it was a question of opening up the lake that was under discussion. That is the inference I would draw from the conversation, that it referred to both sides. It was some time after the sale before any question arose about opening the lake, as the runs were not fully stocked in those days. Am not aware whether there is any distinctive name for the channel between the two lakes, as the lakes and the channel between them, after the mouth is closed in December, is all one sheet of water: would describe it all as the lake. Cannot say whether the lake was in flood at the time the land was sold in 1853. It would be possible from a hill on my side of the Turanganui Block to see over the country on the Turakirae side and on as far as Featherston, as there is nothing to intercept the view. The hill that I allude to is about 200ft. high. Do not think it would be possible to distinguish between the flood-line of the lake on the western side and the adjacent land so as to be able to define it. Am positive that Mr. McLean told me that he had not bought the land below the flood-line, but I cannot account for the inconsistency of this statement with the description in the deed that the boundary followed the margin of the lake. Am unable to say whether the account of the transaction given by Hemi te Miha that Mr. McLean was anxious to make the margin of the lake the boundary, but that the Natives contended for high-water mark, was the cause of the apparent discrepancy. The Natives objected to sell the Turanganui Block because of their eel-fisheries. Am aware that the deeds contain a stipulation that all lakes, streams, &c., are sold; and if the petition contains an allegation to the effect that these places were not sold, it does not coincide with the terms of the deed. Remember that reserves were stipulated for in the Turakirae deed, and I afterwards heard that some of them were sold. Do not remember witnessing the deed of sale of any of these lands. [Deed disposing of the reserve at Patunga a Matangi to the Government read out.] I do not remember having witnessed these deeds, but I wrote a good many deeds for the Government at that time, and the fact has escaped my memory that I was a witness to the execution of the ones alluded to. The persons who sold these reserves I should imagine were the owners. It was some time after the date named that Raniera te Iho told me he had a bush-reserve at Waiarongomai where he could get totara from. I am not familiar with the terms of the Tauherenikau sale: all my knowledge of it is that I wrote the deed. Am not aware whether there was any difficulty about the lake boundary. I was only concerned about the Turanganui Block. I should think that the lake-boundary question would be associated with all the lands abutting it, as it involved the opening of the lake, which the Europeans were not to have the right to do. Recollect the first opening of the lake by the Europeans. It was a good many years after the purchase. It was after 1860 before it was opened. Recollect acting as chairman of a meeting at Featherston, and sending a resolution to the Government relative to the opening of the lake. As chairman I could only do as requested, but I told the meeting that I did not agree with their action. Government sent me rather a sharp letter about the matter. Do not remember whether Sir D. McLean was in office at the time. The Natives have not used the lake for eel-fishing so much of late years as formerly. They used to catch large quantities of eels in former years. There was a large pa at the mouth of the lake, but it got burnt down, and that may possibly account for the people not going there so much in after years. For a time the custom almost fell into disuse, but the fishing has been revived of late