

46. This schedule, as a list of titles proved, is on the face of it suspicious. The uncertainty as to the area of 305 E, F, the uncertainty as to the existence of 305H, seem to invite caution; while the fact that Webster had not previously called attention to the schedule, although his case had been before the United States' Government for more than twenty-five years, ought to have put everybody on his guard. The United States' Senate and Government appear, however, to have accepted the schedule without question, and they have been most completely taken in; for, as already stated, the schedule is not in the *Gazette* from which it purports to be an extract either in May, 1842, or any other date. It is, in fact, simply the schedule compiled by Kimber and Ellis in 1873 (pp. 140-142), with a new head-line transforming their list of "Claims preferred" into a "Schedule of Titles proved before Commission," while, to give it a fictitious appearance of credibility, Webster pretends that it is an extract from an official *Gazette* which is accessible to everybody.

47. This is, however, not the only enclosure to his petition which has been manipulated. Mention has been made above of the Private Secretary's letter (p. 13), which in its postscript held out hopes to Webster that the land in his undisputed possession would eventually be granted; and it has been pointed out that this could only refer to the two small pieces of Mercury Island. The letter is printed at p. 35 from American sources, at p. 75 from New Zealand sources, and in both places the postscript appears as a postscript. It also (pp. 1181, 27) forms enclosure 10 to Webster's petition, and is part of enclosure 14 (p. 130), and of enclosure 15 (p. 135); in all three places the postscript has been carried into the body of the letter, a form of language naturally adopted by the Committee (pp. 101, 110) when reporting on the petition. The foot-note at p. 101 shows that the error was observed when compiling the appendices to the present report, so there can be little doubt that the petition and its enclosures are now printed in the form in which Webster presented them to Congress.

48. The postscript, of course, gained force when read as a substantive part of the letter; but this by itself is not enough to account for the interpolation. The reason seems to be deducible from p. 135, when the "Schedule of Titles proved" (dated 1884) is ingeniously dovetailed into the Committee's report of 1880. It comes after a sentence referring to the Private Secretary's letter, and before the amended version of that letter, as though it were in the same paper, and as though the mention of undisputed possession had specific reference to the whole of this preposterous schedule.

49. It will hardly be denied that the claim is tainted with fraud. It has already been shown to be grossly exaggerated; it remains to show that Webster half a century ago had the benefit of whatever in it was genuine. The schedule (including 3,000 acres for 305H) contains 244,110 acres. Comparing this with the areas given in the deeds, and with the areas estimated by Webster when under oath before the Commission (pp. 55-70), the following deductions are necessary:—

	Acres.	Acres.
		244,110
305A	350	
305c	1,700	
305E	80,000	
305F	300	
305G	30,960	
	<hr/>	113,310
		130,800
Add 305M (see Evidence p. 60)	1,500	
	<hr/>	132,300

From this quantity, which shows the total acreage actually claimed before the Commissioners, the following deductions are necessary:—

	Acres.	Acres.
		132,300
305D withdrawn by Webster	1,000	
305E	20,000	
305L	3,000	
305F	...	
But no area stated before Commission, p. 59.	<hr/>	24,000
		108,300
Also 305H disallowed	3,000	
„ 305M	3,500	
	<hr/>	6,500
		101,800

being the total acreage which the Commissioners had to deal with on Webster's sole claim, being just about one-fifth of the 500,000 acres for which he now asks to be compensated.

50. As Webster (p. 9) appears to assert that he did not withdraw any claims before the Commission, it is advisable to refer to his signed statement (p. 59) in these words: "I withdraw the above claims," being 305D, E, F, L. Of these, 305E was a claim in his own name for the whole of Barrier Island, and was identical with No. 32, which was a claim put in by his partners in the name of the three, at first in Sydney, and afterwards in New Zealand (see Appendices to enclosure of this letter), and was one of those against which Webster entered a caveat (p. 52). The