

1899.  
NEW ZEALAND.

[Reprint of A.—5, 1869.]

# TRUST ESTATES FOR RELIGIOUS, CHARITABLE, AND EDUCATIONAL PURPOSES

(FIRST REPORT OF THE COMMISSION OF INQUIRY INTO THE CONDITION AND NATURE OF).

*Presented to both Houses of the General Assembly by Command of His Excellency.*

## CONTENTS.

### MINUTES OF EVIDENCE.

	PAGE		PAGE
CHURCH OF ENGLAND .. .. .	1-8	PRESBYTERIAN CHURCH .. .. .	24-25
Baber, James, 2, 3.		Bruce, Rev. David, 24.	
Burgess, I. J., 1.		BAPTIST CHURCH .. .. .	25
Burrows, Rev. Robert, 4, 5, 6, 7, 46.		Cornford, Rev. P. H., 25.	
Dudley, Rev. B. T., 6.		PRIMITIVE METHODIST CHURCH .. .. .	25
Hikairo, Wiremu, 2.		Dean, Rev. W. J., 25.	
Martin, Sir William, 3, 4.		Probert, John, 25.	
Pierce, G. P., 1, 2.		HEBREW CONGREGATION .. .. .	26
Sinclair, A., 8, 46, 47.		Davis, Charles, 26.	
Swanson, William, 12.		Nathan, David, 26.	
Wood, Reader G., 5.		MISCELLANEOUS GRANTS .. .. .	26-27
ROMAN CATHOLIC CHURCH .. .. .	9-17	Cantwell, William, 26.	
Cochrane, Samuel, 16.		Lewis, Osmond, 26.	
Dignan, Patrick, 14.		Lusk, R. B., 27.	
McDonald, Very Rev. Father, 12, 14, 15, 16.		O'Meara, John, 27.	
Mellhone, Hugh, 9, 12.		Whitaker, Frederick, 27.	
O'Hara, Rev. Father, 17.		<i>Temperance Hall</i> .. .. .	26
Paul, Rev. Father, 16, 17.		Lewis, Osmond, 26.	
Sinclair, Andrew, 15.		<i>Place of Worship and School</i> .. .. .	26
Swanson, William, 12.		Cantwell, William, 26.	
Wood, Reader, 13.		<i>Place of Interment</i> .. .. .	27
WESLEYAN CHURCH .. .. .	17-22	O'Meara, J., 27.	
Buller, Rev. James, 17, 18, 19, 20, 24.		<i>Hospital and Grammar Schools</i> .. .. .	27
Goldsbro, Dr. C. D., 22.		Lusk, R. B., 27.	
King, John, 22.		<i>Mechanics' Institute</i> .. .. .	27
Lusk, R. B., 22.		Whitaker, Frederick, 27.	
Russell, Thomas, 17.		<i>Native Hostelries</i> .. .. .	43, 44, 48
Wallis, Rev. James, 21.		Brown, George, 43.	
Williamson, His Honor John, 20.		Mackay, James, 43, 44, 48.	
Wood, Reader, 23.			

### APPENDIX.

	PAGE
Copies of Crown Grants—St. Stephen's, St. Mary's, and Three Kings .. .. .	28-31
Schedule of Grants for Religious, Charitable, and Educational Purposes .. .. .	32-37
Native School Trust Account, Church of England .. .. .	37-38
Conveyance by Bishop Pompallier to Mr. H. Chamberlin .. .. .	38
Conveyance by Bishop Pompallier to Mr. Swanson .. .. .	39
Report of Committee of Auckland Provincial Council .. .. .	40
Memorandum of Deputy Auditor .. .. .	41
Mr. Commissioner Heale to Messrs. Hart and Gisborne, 17th April, 1869 .. .. .	43
Mr. Commissioner Heale to Mr. Commissioner Hart .. .. .	48

## COMMISSION.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :

To Our trusty and loving subjects, the Honourable Alfred Domett, Member of the Legislative Council, and Secretary for Crown Lands ; Francis Dillon Bell, Esquire, Member of the House of Representatives ; George Sisson Cooper, Esquire, Native Under-Secretary ; and Robert Hart, Esquire,—Greeting :

WHEREAS the Governor of Our Colony of New Zealand, with the advice of the Executive Council thereof, has deemed it expedient that a Commission should forthwith issue to inquire into and report upon the condition and nature of Educational and other Trust Estates held directly under Grant from the Crown upon special Trust for Religious, Educational, or Charitable purposes, and particularly to inquire into the extent and application of the Endowments, Funds, and Revenues belonging to or received by the Trustees of all such Estates in respect of the same :

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and by these presents do authorize and appoint you,

ALFRED DOMETT,  
FRANCIS DILLON BELL,  
GEORGE SISSON COOPER,  
ROBERT HART,

to be during our pleasure, Commissioners for the purpose aforesaid ; and, for the better effecting the purpose of this Commission, we do give and grant you, or each of you, power and authority to call before you such persons as you shall judge likely to afford you any information upon the subject of this Commission, and to inquire of and concerning the premises by all other lawful means and ways whatsoever : And this Commission shall continue in full force and virtue, and you the said Commissioners, or any one of you, may from time to time, and at any place or places, proceed in the execution thereof, and of every matter and thing therein contained, although the inquiry be not regularly continued from time to time by adjournment ; and also, that the before-named

ALFRED DOMETT

be the Chairman of you the said Commissioners : And lastly, that you do, with as little delay as possible, report to Us, under your hands and seals, your opinion, resulting from the said inquiry, of the matter and things set forth in this Our Commission.

In testimony whereof We have caused these Our Letters to be made Patent, and the Seal of Our said Colony to be hereunto affixed.

Witness Our trusty and well-beloved Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Our Governor and Commander-in-Chief in and over Our Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, and issued at Wellington, in New Zealand aforesaid, on the third day of February, in the year of Our Lord one thousand eight hundred and sixty-nine, and in the thirty-second year of Our reign.

G. F. BOWEN.

Issued by the Governor in Council.

FORSTER GORING,  
Clerk of Executive Council.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth :

To Our trusty and loving subjects, Theophilus Heale, Esquire, and William Gisborne, Esquire, Under-Secretary—Greeting :

WHEREAS on the third day of February instant, Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Our Colony of New Zealand, did issue in Council a Commission in Our name, appointing certain persons named therein to inquire into and report upon the condition and nature of Educational and other Trust Estates held directly under Grant from the Crown upon special Trust for Religious, Educational, or Charitable purposes, and particularly to inquire into the extent and application of the Endowments, Funds, and Revenues belonging to or received by the Trustees of all such Estates in respect of the same :

And whereas it is desirable to appoint additional persons to the aforesaid Commission :

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorized and appointed, and by these presents do authorize and appoint you,

THEOPHILUS HEALE, and  
WILLIAM GISBORNE,

to be additional Commissioners for the purposes and with the powers specified in the said Commission, which Commission continues in full force and virtue anything herein notwithstanding.

In testimony whereof we have caused these our Letters to be made Patent, and the Seal of Our said Colony to be hereunto affixed.

Witness Our trusty and well-beloved Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Our Governor and Commander-in-Chief in and over Our Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, issued at Wellington, in New Zealand aforesaid, on the twenty-sixth day of February, in the year of Our Lord one thousand eight hundred and sixty-nine, and in the thirty-second year of Our reign.

G. F. BOWEN.

Issued by the Governor in Council.

FORSTER GORING,  
Clerk of the Executive Council.

---

FIRST REPORT  
OF THE  
RELIGIOUS, CHARITABLE, AND EDUCATIONAL TRUSTS COMMISSION.

---

Wellington, 25th May, 1869.

MAY IT PLEASE YOUR EXCELLENCY,—

The Commission issued by your Excellency on the third day of February last authorised an Inquiry into “the condition and nature of “Educational and other Trust Estates held directly under Grant from the “Crown upon special Trust for Religious, Educational, or Charitable purposes, “and particularly to inquire into the extent and application of the Endowments, “Funds, and Revenues belonging to or received by the Trustees of all such “Estates in respect of the same”; and required the Commissioners to report their “opinion, resulting from the said inquiry, of the matters and things set “forth” in the Commission.

The Commissioners have been unable to complete their inquiry, but they consider it desirable to report their proceedings up to this date, postponing the required expression of their opinion until the whole inquiry has been completed, and the results of it carefully considered by them.

Messrs. Hart, Heale, and Gisborne (the two latter of whom were added to the Commission on the 20th of February last) have either singly or jointly, as authorised by the Commission, taken evidence concerning the Trust Estates in question within the Provinces of Auckland and Hawke’s Bay respectively; and the evidence in respect of the Province of Auckland is appended hereto in a printed form, arranged severally under the head of each estate affected by it, and the evidence taken in respect of the Province of Hawke’s Bay will be transmitted to your Excellency as soon as it can be printed.

The Commissioners will lose no time in prosecuting their inquiry into the Estates similarly granted in other Provinces, and in reporting the results thereof; but they most respectfully claim a reasonable indulgence for the delay which will necessarily occur in the fulfilment of this duty: both on account of the other claims on their time and attention, and of the extensive and important nature of the Commission intrusted to them.

The Commissioners have, in the Province of Auckland, confined their investigation to Trust Estates granted gratuitously by the Crown: that is to say, either without any purchase-money, or with purchase-money provided from Public Funds for the purposes of the Trust. They have not considered that the Commission either authorized or intended to authorize them to extend their inquiries to cases in which Trust Estates were regularly purchased from the Crown, or disposed of by individuals, for Religious, Charitable, or Educational purposes, and in which the public interests are not, as in the case of free Grants from the Crown, primarily concerned.

Although the Commissioners refrain for the present from forming any definite opinion on the subject of their inquiries, they would respectfully invite your Excellency’s attention to the evidence taken concerning the Trust Estates respectively held by the Church of England, the Roman Catholic Church, and the Wesleyan Church, at St. Stephen’s, St. Mary’s, North Shore, and the Three Kings, in the immediate vicinity of the City of Auckland, for (in terms of the Grants) “the education of children of both races, and of children of other

“poor and destitute persons being inhabitants of the Islands in the Pacific Ocean.” Although, between fifteen and twenty years ago, large and valuable Grants of Crown Land were gratuitously given to these institutions, and were supplemented from time to time by considerable sums of public money, each of them is at present quite impotent for the purposes of the Trust, and has been comparatively ineffective for some time past. Their use for several years seems to have been chiefly directed to the maintenance, partly at the cost of the Provincial Government of Auckland, of destitute European children in that Province. The sole fulfilment of the Trust of St. Stephen’s at present consists in allowing a private Benevolent Institution, called “The Orphan Home,” to occupy five (out of sixty-seven) acres of land, at a nominal rent; and it is remarkable that that Institution, which is unendowed, appears effectually to achieve its object. The Three Kings School is closed, and a claim preferred against the Estate (the interest of which is vaguely estimated at £100 per annum) for aid rendered to it in the purposes of the Trust by the Wesleyan Mission, to whom that estate was freely granted for such purposes. (See Rev. Mr. Buller’s evidence, page 21.)

The building of St. Mary’s College, the cost of which was mainly contributed by the Government, was erected, not upon the land granted as an endowment, but upon land in its vicinity, bought by the Roman Catholic Bishop for himself and his successors; and the land (twenty acres) on which it stands has been alienated to other persons,—sixteen acres sold to one person under a mortgage deed, and four acres, with the College buildings, sold to another under a judgment of the Supreme Court, for a private debt of about £300, no part of which debt (see Mr. McIlhone’s evidence, page 12) was, so far as the witness was aware, incurred on account of St. Mary’s College, but had arisen out of private transactions. It should be added that the latter purchaser (Mr. William Swanson) bought these four acres with the view of preventing the entire alienation of the land, which he rightly considered discreditable, and has written a letter to the Vicar-General, in the absence of the Bishop, at Auckland, undertaking to re-convey the land on receiving back the purchase-money, £325, without interest, either within two months after Bishop Pompallier’s return, or, in case of his not returning, within eighteen months from the date of that letter, 3rd March, 1869. Mr. Swanson, however, states in his evidence (page 12), that he will assume possession of the property if it is not used for the maintenance of orphans.

It is only right to say, however, that the absence of Bishop Pompallier, who personally conducted to a great extent the affairs of the Estate, has no doubt precluded the Commissioners from ascertaining all the circumstances of this alienation, which, it is respectfully submitted, should receive the special consideration of the Legislature, with a view to saving the public interests in the property in question.

The Commissioners have to submit to your Excellency this their first Report.

(L.S.)	ALFRED DOMETT, Chairman.
(L.S.)	G. S. COOPER.
(L.S.)	R. HART.
(L.S.)	W. GISBORNE.

---

NOTE.—Commissioners F. D. Bell and T. Heale were absent from Wellington when this Report was sent in.

---

## MINUTES OF EVIDENCE.

### PROVINCE OF AUCKLAND.

#### Church of England.

MONDAY, 22ND MARCH, 1869.

Present :—Mr. Hart and Mr. Gisborne.

*Lots 19–22, Section 30, 1 acre 6 perches, City of Auckland—Church Site.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Book 4, No. 5, page 9, Grant of 1 acre 16 perches in Wellesley Street, Hobson Street, Auckland, produced) : I know this property. There is a church, schoolhouse, and parsonage erected thereon—parsonage occupied by the Rev. D. Jones, minister of St. Matthew's (which is the name of the church)—all wooden buildings. There is a very flourishing day school there. Do not know number of scholars. Church is new building. The other buildings are tolerably good. The Provincial Government used to grant a capitation allowance to this and other schools, which ceased about eighteen months ago. The fees paid by scholars, ranging from 6d. to 1s. per week, are applied towards the maintenance of the school.

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 8, Grant of 1 rood 20 perches in Shortland and Princes Streets, Auckland, produced) : I know this property. On this allotment is erected St. Paul's Church, a brick edifice, capable of seating about 850 persons, and used for the purposes stated in the Grant.

*City of Auckland, 1 rood 23 perches—St Barnabas' Church Site.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 21, Grant of 1 rood 23 perches, situate in Selwyn Terrace, Parnell, produced) : I know this property. On it is erected a church, a wooden edifice, used occasionally for Divine service according to the use of the Church of England, in the Maori language.

*Lot 35, Section 2, 3 roods 36 perches, Takapuna—Church and School.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 105, Grant of 3 roods 36 perches, allotment 35 of section 2, Parish of Takapuna, produced) : I know this property, for which I am a trustee. There is a wooden building erected on this property, which is used as a church, in which the Rev. B. Y. Ashwell officiates at present. The building will accommodate about 300 persons. Divine service is regularly performed here every Sunday. I am not aware of any school being maintained here.

*City of Auckland, 8 acres 3 roods 5 perches—Cemetery.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 1, Grant of 8 acres 3 roods 5 perches in the suburbs of Auckland, also Reg. iv., No. 3, 3 roods 30 perches of the same, produced) : I know these properties, for which I am a trustee. They are occupied as a cemetery, having been duly consecrated for that purpose. The General Synod having imposed fees for the privilege of erecting fences round graves, there is an amount of revenue accruing, the proceeds of which are invested at interest, and this interest is applied to the improvement of the ground. There are no burial fees. The amount at present invested as above on mortgage security, at 10 per cent., is £250. There is a balance to credit in the Union Bank of Australia of £97 10s. 1d. Accounts are rendered to the Diocesan Synod at each annual, and to the General Synod at each triennial meeting of those bodies.

*Lot part of 26a of Section 2, 1 acre 1 rood 16 perches, Takapuna—Cemetery.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 106, Grant of part of allotment 26a of Section 2, Parish of Takapuna, produced) : I am not personally acquainted with this property, which is managed under my general directions by Captain Burgess, the Harbourmaster, who is resident at the North Shore. The same rule as to charges for fencing round graves which has been established in respect of the cemetery at Auckland applies to this also. I have handed to Captain Burgess blank forms of licenses for fencing, and he is to account to me for the fees on their issue.

Captain *I. J. Burgess*—(Wednesday, 24th March, 1869),—being duly sworn, states : My name is Isaac James Burgess ; I am resident at Devonport, North Shore, and I am Harbourmaster. I am acquainted with the allotment No. 26a of Section 2, Parish of Takapuna, which is used as the Church of England Cemetery, at the North Shore. It was fenced partly by private contribution, partly by a grant from the Bishop. The whole of the ground is not enclosed as yet. The proceeds of the fees for fencing graves are employed in keeping the place in repair, and in enclosing the remainder of the ground. The portion as yet enclosed is becoming quickly filled, in consequence of the numerous deaths occurring amongst invalids removed to the North Shore, and from its being used by out-settlers as well as residents. The books are in the keeping of Mr. Beddoes, and I could not procure them to bring with me to-day. The accounts of the cemetery are printed in the Church Almanac produced.

*Lot 4, Section 8, 2 roods 27 perches, City of Auckland—School and Parsonage.*

Mr. *George Patrick Pierce*, being duly sworn, states (Record copy, Reg. iv., No. 9, Grant of 2 roods 27 perches, allotment 4 of section 8, City of Auckland, produced): I know this property, on which are erected a schoolhouse, known as St. Paul's School, and a residence for the minister of the Parish of St. Paul's. I am a trustee for the portion occupied for the former purpose. There are fees charged for tuition of scholars attending this school. I believe they range from 6d. to 1s. per week. I am not aware of the amount accruing from these fees, which are applied to the maintenance of the school.

*Lot 9, Section 18, 1 acre, Onehunga—Church Site.*

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. iv., No. 24, Grant of 1 acre, Lot 9 of section 18, Onehunga, produced): I know the allotment in question, and I believe that on it is erected a wooden church, known as St. Peter's, of which, so far as I am aware, the Rev. A. G. Purchas is the minister. Divine service is performed there; but I am not aware whether such service is constant, as services are occasionally intermitted in the suburban churches, in order to allow of the ministers visiting out-stations.

*3 roods 22 perches, Rangiaohia, Waikato—Church Site.*

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. iv., No. 74, Grant of 3 roods 22 perches, situate at Rangiaohia, produced): I know the allotment in question, on which the Native Church at Rangiaohia was erected. I am not aware whether it is still standing.

Rev. *R. Burrows*, being duly sworn, states (Record copy, Reg. iv., No. 74, Grant of 3 roods 22 perches land, situate in the village of Rangiaohia, produced): A church was erected on this land, partly from Native contributions, partly from Church Missionary aid, in which services were regularly maintained until the advancement of the troops into the district. The building is very much dilapidated.

NOTE.—For further information as to position of Waikato Religious and Educational Grants, see letter of Commissioner Heale, 17th April, 1869, Appendix.

*Lots 13 and 14, Section 20, Pakington, Waikato—Church Site.*

Mr. *James Baber*, being duly sworn, states (Record copy, A. 49, No. 7,486, 2 roods, allotments 13 and 14 of section 20, Pakington, produced): I know the allotment in question. It is not at present occupied by any building. No land in Pakington is inhabited at all.

*Various Allotments—Villages—Church Sites.*

Mr. *James Baber*, being duly sworn, states (Record copies, A. 49, No. 7,487, lot 58, Tamaterau, Grant of 2 roods; A. 49, No. 7,497, lot 47, Mongonui, Grant of 3 roods 10 perches; A. 49, No. 7,501, lot 170, Weymouth, Grant of 2 roods; A. 49, No. 7,524, lot 33, Molesworth Suburban, Grant of 2 roods; A. 49, No. 7,525, lot 18, Mangapai, Grant of 2 roods; A. 49, No. 7,526, lot 10, Albert Town, Grant of 2 roods; A. 49, No. 7,529, lot 27, Grahamstown, Grant of 2 roods; copy of Record copy of A. 56, No. 9,297, lot 5 of section 14, Raglan, 1 rood 17 perches, produced): I have no personal knowledge of these allotments, nor of their state, or whether any occupation is had of them. Generally they are reserves made by the Provincial Government in village sites for ecclesiastical purposes.

Mr. *James Baber*, being duly sworn, states (Record copy, A. 49, No. 7,499, lot 81, Leigh, Grant of 2 roods, produced): I know this site, but am not aware of any building having been erected on it, or of any service being celebrated at Omaha, where the site of Leigh is.

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. A. 49, No. 7,525, Grant of 2 roods, allotment 3 of section 8, Havelock, produced): I know this site, which is not occupied by any building. There are no inhabitants of this village.

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. A. 49, No. 7,527, Grant of 1 rood 32 perches, allotment No. 47, Coromandel, produced): I know this site. So far as I am aware, it is not occupied. There are a very few people living in the neighbourhood—in fact, only two families.

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. A. 49, No. 7,528, Grant of 2 roods, allotment 160A, Whau South, produced): Nothing has been done with this site, nor is there any population here. The same statement applies also to the allotment No. 43 of section 2, Whau North, of which the Record copy, Reg. A. 49, No. 7,531, was also produced.

*Lot 2, Section 8, 5 acres, Howick—Glebe.**Lot 1, Section 22, 4 acres 3 roods 27 perches, Onehunga—Glebe.*

Mr. *James Baber*, being duly sworn, states (Record copies, Reg. iv., No. 76, Grant of 5 acres, allotment 2 of section 7, Pakuranga, Glebe, Howick; Reg. iv., No. 77, Grant of 4 acres 3 roods 27 perches, allotment 1 of section 22, Onehunga Glebe, Onehunga, produced): These are respectively occupied as residences by the clergymen resident at these places.

*Maketu, Rotorua, 10 acres—Mission Purposes.*

Mr. *James Baber*, being duly sworn, states (Record copy, Reg. iv., No. 69, Grant of 2 acres 1 rood 25 perches, situated at Orangikahui, Rotorua, produced): Of this I can give no information.

*2 acres 1 rood 25 perches—Rotorua.*

*Wiremu Hikairo*—(Saturday, 27th March, 1869),—being duly sworn, states: My name is Wiremu Hikairo. I live in Auckland, and am a clerk in the Native Lands Court Office. (Record

copy, Reg. iv., No. 69, Grant of 2 acres 1 rood 25 perches, land at Orangikahui, near Rotorua, produced.) I know the allotment at Orangikahui, near Rotorua, granted to Bishop of New Zealand. It is used for a burying-ground. There is no church on it. It is fenced with a ditch and turf bank. There was formerly an English church near this land, but it is now in ruins. I was there about two months ago. The fence was then in good repair; there is no gate. No one is in charge of it, nor appointed to give or refuse permission for burials.

*Part of Lot 98, Waiuku East—Cemetery.*

Mr. James Baber, being duly sworn, states (copy of Record copy, Reg. 14B, No. 591, Grant of 2 acres 3 roods, eastern portion of lot 98, Waiuku East, produced): The church at Mauku is erected upon this land, or on land adjoining within the same fence. This land is occupied as a cemetery.

WEDNESDAY, 24TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

*870 acres, Puniu River, Waikato—School.*

Sir William Martin, Knt., being duly sworn, states: My name is William Martin. I reside at Parnell, near Auckland, and have retired from the office of Chief Justice of the Supreme Court of New Zealand. (Record copy, Reg. iv., No. 70, Grant of 870 acres land situate on the Puniu River, produced.) In this and the other grants of lands for the endowment of schools situate in the Waikato district, the revenues accruing from all these lands have been considered available for the support of any one or more of such schools indiscriminately; but, in practice, the Trustees have excluded the school at Taurarua from any such participation in these revenues, on the ground that the income of that school was not available for the maintenance of the Waikato schools by the terms of its grants.

I became a trustee of this property in the year 1861. At that time the property was, to the best of my belief, unfenced and unoccupied. The land was given by the Native owners to the Church of England for the purposes of a school. Until lately, it has remained as in the year 1861. Very recently, an agreement has been entered into with Messrs. Westneys, of Mangere, near Auckland, to let the land to them for a term of twenty-one years, they undertaking to spend £50 per annum in improving the estate for the first eight years, and for the residue of the term to pay a rent of £100 per year, and to have the whole estate, at the expiration of their lease, properly fenced and laid down in grass and clover. As yet, no rents have ever accrued from this estate.

Rev. Robert Burrows, being duly sworn, states: I am a resident at Auckland, and am Secretary to the Church Missionary Society. Prior to the year 1861, and also subsequent to that date, the Rev. John Morgan, the missionary resident on the church property at Otawhao, spent sums of money in clearing and surface-sowing the land in question. He had charge of a school of Natives and half-castes, the returns in respect of which were regularly forwarded to the Government. There were no proceeds accruing from this estate, nor were any buildings erected on it. Mr. Morgan's school did receive sums of money prior to the passing of the Act of 1858 for its support, specially for increasing the accommodation available for receiving scholars. The superintendence of this school was transferred by Mr. Morgan to Mr. Gorst in or about September, 1862, by whom it was conducted till 1863, when most of them were transferred to St. Stephen's, being about nine in number.

*280 acres and 470 acres, Kohanga, Waikato—School.*

Sir William Martin, being duly sworn, states (Record copy, Reg. iv., No. 71, Grant of 280 acres; Reg. iv., No. 78, Grant of 470 acres, land on the Waikato River at Kohanga, produced): I became a trustee of this property in 1861, but having been previously a member of the Native Board of Education, I am conversant with the history of the schools prior to that date. There was a school established at Maraetai, a little below Kohanga, under the superintendence of the Rev. R. Maunsell (now Archdeacon), at the date of these grants: removed to Kohanga in the year 1853. In 1855, the number of scholars at Kohanga was eighty-one. Prior to the Act of 1858, public money was annually given to the support of the schools, the distribution of which is shown by the returns regularly furnished, such grants commencing in the year 1853. The school was maintained at Kohanga until Mr. Maunsell was obliged to leave the place, and the scholars were dispersed by the commencement of Native disturbances in 1863. The distribution of the capitation allowance under the Act of 1858 will be found in Appendix to the Journals of the House of Representatives for 1865, E. No. 3b. On Mr. Maunsell's removal, the Rev. Joshua te-Moanaroa, a Native deacon, was left in charge of the station. A part of the buildings was temporarily let for a few months, for which a small sum was obtained. In the year 1866, one Mr. Revell was appointed school-master at Kohanga, and at the beginning of the year following he had a daily average attendance of twenty-five scholars, which fell off before the close of the two years that Mr. Revell remained there to about half the number. The school estate was let for a term of two years to a Mr. Spargo, at £50 per annum, Mr. Revell receiving from the trustees this amount, supplemented by them to the sum of £75 in the first year out of other sources. Mr. Revell also received aid from the General Government, and support also from the Natives, but the latter amount did not come up to the sum promised by them. Since Mr. Revell's removal, the school has entirely ceased, and at present there is no school and no revenue arising from the estate.

Rev. Robert Burrows, being duly sworn, states: The two grants of land in this case are contiguous. The lands have been fenced, and were cultivated as an industrial establishment up to the date of Mr. Maunsell's removal. The buildings consisted of a quadrangle capable of accommodating the master and from 60 to 100 scholars. The proceeds, crops and cattle, were devoted to the



maintenance of the school, excepting a small balance handed over by Mr. Maunsell to the School Trust.

All the lands comprised in these and other grants in the Waikato District are originally Native gifts.

The buildings on the Kohanga estate are now insured for £200, but are falling into decay, and will not be worth re-insuring.

*1,385 acres Taupiri, Waikato—School.*

Sir *William Martin*, being duly sworn, states (Record copy, Reg. iv., No. 90, Grant of 1,385 acres land on Waikato River, called "Hopuhopu," produced): There were schools, under the superintendence of the Rev. B. Y. Ashwell, at Taupiri, when this grant was issued. The same remarks as to the distribution of public moneys apply to these schools also, which have been made in reference to the preceding case. In the year 1855 there was an average attendance of forty-five scholars, and for the year ending March, 1857, of fifty-eight. The school ceased about the same time and under the same circumstances as that of Kohanga. After Mr. Ashwell removed, both the estates were neglected until occupied, early in 1867, by Rev. Lonsdale Pritt. With a view to the re-establishment of a school by that gentleman, the trustees have expended in repairs of the buildings, wire fencing, milch cattle, &c., a sum of £260 or thereabouts. Mr. Pritt is also, by special arrangement with the Native Minister, in receipt of Government aid. In 1867, the trustees agreed to give Mr. Pritt a lease of the house and five acres, at the rate of one year for every £10 spent in permanent additions to the house; also, they have agreed to let to him, in aid of the school, 100 acres of the estate for seven years at a nominal rent. He is allowed permissive occupation of the remainder of the land, subject to be determined at a quarter's notice, in case of an eligible tenant being found.

In this, and in all the other schools in the Waikato District, so long as they were in operation, the terms of the Trust, viz., Industrial training, religious education, and instruction in the English language, were fully complied with.

Rev. *Robert Burrows*, being duly sworn, states: Mr. Ashwell erected school buildings capable of accommodating a master and from fifteen to twenty scholars, on this block, and effected considerable improvements. This building has been added to by Mr. Pritt, and is now used as his dwelling-house. With my permission (as agent of the Church Missionary Society), Mr. Pritt moved from Mr. Ashwell's station at Taupiri, the school buildings formerly erected there with Government money, to be used for the same purpose on their new site. He has also erected dormitories for pupils, and several outbuildings with a view to farming purposes; he has cleared from twenty to thirty acres of the land formerly cultivated, but very much overgrown during the war, and states that he has spent some £400 of his own money, in addition to sums received from the Board and from the Government, in improvements on the land and in additions to the buildings. I think he will be entitled, under the conditions stated by Sir W. Martin, to about fourteen years' lease of the five acres of land and house. He has at present about five Native scholars; but Mr. Searancke, R.M., was proposing to make arrangements whereby an additional number would be placed under his care.

Under the agreement with Mr. Pritt, he would be entitled to the house and land leased to him, even if no school were maintained there. The buildings are insured.

*133 acres 3 roods, Pepepe, Waikato—School.*

Rev. *Robert Burrows*, being duly sworn, states (Record copy, Reg. iv., No. 72, Grant of 133 acres 3 roods land on the Waikato River, known as "Pepepe," produced): During the continuance of Mr. Ashwell's school portions of this estate were cultivated for the use of the school. When that was abandoned the land became overgrown, and nothing further is now done, except that a Native, who is in charge of the land, is allowed to cultivate patches of it for his own benefit. No permanent buildings were ever erected on this land.

NOTE.—For further information as to position of Waikato Religious and Educational Grants, see letter of Mr. Commissioner Heale, 17th April, 1869, Appendix.

*Lots 1, 2, and 3, 4 acres 36 perches, Orakei—Church, School, and Cemetery.*

Rev. *Robert Burrows*, being duly sworn, states (copy of Record copy, Reg. iv., A. No. 120, Grant of 4 acres 36 perches, allotments Nos. 1, 2, and 3, at Orakei, produced): There was a building on the ground, occupied as a church and school, at the time of the grant, and it exists still. Divine service is regularly maintained, but the school ceased to be held at the death of the Rev. Pirimona te Karori, who was drowned at Kaipara about five years back, and has not been resumed. The congregation fluctuates from twelve to forty or more. The building is falling into decay. The cemetery is used, but is not in a very good state.

*4 acres, Papakura, adjoining Lot 4, Opaheke—Church, School, and Cemetery.*

Sir *William Martin*, being duly sworn, states (copy of Record copy, Reg. iv., A. No. 121, Grant of 5 acres, land adjoining lot 4, parish of Opaheke, produced): This land came into the possession of the present trustees in September or October, 1868, with a galvanized iron shed thereon, and has been let to Mr. Alfred Buckland at a rent of £10 per annum, under covenant to return the land fenced and the shed in good repair. This shed was erected by the military Imperial authorities, by whom the land was for a time occupied. No church, school, or cemetery exists, or has as yet existed, on this ground.

*Lots 9, 15, 21, 23, and 23a, 67 acres 2 roods 16 perches, Suburbs of Auckland—  
St. Stephen's Industrial School.*

Sir William Martin, being duly sworn, states (Record copies, Reg. iv., Nos. 32, 33, and 48, in all 67 acres 2 roods 16 perches, allotments Nos. 9, 15, 21, 23, and 23A. of section 2, suburbs of Auckland, St. Stephen's School, Taurarua, produced): The first grant, Reg. iv., No. 32, containing in the aggregate 40 acres 11 perches, is a free grant of land; the two other grants, for 18 acres and for 9 acres 2 roods 5 perches respectively, for the same purpose, recite that money was paid for the land out of funds supplied by the Government for the establishment and support of the school. I have been conversant from the first with the history of this school, as having been a member of the Native Board of Education, by whom money was from year to year appropriated towards its support. Rev. G. A. Kissling had a school at Kohimarama for Native girls in 1849. On the destruction of this by fire in or about that year he removed to premises of his own, still continuing the school with Government aid, until the main buildings of St. Stephen's were completed, about 1851, when he removed the school thither.

A letter from myself, on behalf of the Board, addressed to the Native Minister, of the 6th May, 1864 (see Appendix to Journals of House of Representatives, 1865, E. No. 3A.), contains a summary of operations of the school, and a statement of the average cost of the pupils to the Government, up to that date.

The cost of the main building (erected, I believe, in 1861) was £1,060; contained a hall, kitchen, wash-house, and four dormitories, and rooms for the resident manager. In 1854-55 there were thirty-five scholars on the books, with an average attendance in the school for the year of twenty-six, all Natives—girls and young boys. The back building was erected two or three years subsequently, at a cost of £500, and contained twelve rooms. The first building was of wood; the second had stone walls, with brick partitions between the rooms, but the roof was shingled. I believe the buildings were erected out of moneys supplied by Governor Grey, and which were at his sole disposal, but I cannot say from what special funds they were supplied. The fencing and most of the improvements on the estate were effected out of funds supplied by the Bishop, and not derived from Government. The proceeds of the estate have been devoted to the maintenance of the insurance, repairs of the buildings, and other purposes of the estate itself. The history of the institution during the operation of the Education Act of 1858 is summarized in the Bishop's letter, printed in the Appendix to the Journals of House of Representatives, 1865, E. No. 3B., p. 7.

In 1857 a stone cottage was built, at a cost of £570, upon the land, and paid for out of moneys being the balance of the yearly reserve funds then in the hands of the Native Education Board, provided by the Government, and applicable to school buildings (*vide* letter of Sir George Grey, Appendix to Journals of House of Representatives, 1856, vol. ii., A. 7). Afterwards two wooden cottages were erected, at a cost in all of nearly £300, out of the same funds.

After the expiry of the Statute of 1858 all Government moneys were paid over direct to the Manager of Schools, except in the case of St. Stephen's, when for a short time (less than a year) they continued to be made through the Board. No such Board has been elected since 1866.

[A report presented to the General Synod in last year was here handed in, also the Church Almanacs for 1867, 1868, and 1869, containing the yearly accounts of the trust.]

The changes in the management are detailed in the letter E. No. 3A. above referred to.

Sir G. Grey's plan, in 1861, for introducing a somewhat different form of education, though still combining the religious, industrial, and English training, as referred to in the Bishop's letter E. No. 3B., was accepted by the Trustees, and has continued in operation to a certain extent to the present day. In addition to the students preparing themselves as teachers there were a class called Associates, learning trades as printers, carpenters, &c., away from the school during the day but attending tuition at the school in the evening, and living on the premises as their home. Of students who have left the establishment, besides those mentioned in the Bishop's letter, four have opened village schools, of which three still exist, supported entirely by Native contributions; one of these men had a school among the Arawa of fifty scholars, in receipt of aid from Sir G. Grey, and is now in the employ of the Native Lands Court as a clerk.

Since the withdrawal of the Government aid at the end of 1868 the school has been maintained from private funds. The present number of male scholars is seven (Natives and Half-castes), aged from nine to thirteen: two are expected from the East Cape and one from Waikato. There are Associates, who support themselves: two printers and a tailor. The "Outline of English Law," in Maori and English, lately presented to the Government, was printed at this institution by them during the past year, besides other works. Two boys—one a carpenter and one learning to print—have lately left, and enlisted under Captain Gundry.

In April, 1864, the Trustees resolved to grant to the Managers of the Orphan Home a site for twenty-one years, at a nominal rent, comprising 5½ acres of the St. Stephen's estate, making only the stipulation that the institution should be conducted on the principles of the Church of England, this condition being required by the Trustees, as holding their trust for that Church. From May, 1864, to October, 1865, the children were housed at St. Stephen's. By this date a new building was completed at the cost of the Managers of the Orphan Home. Children of either race are admitted without distinction. The education given is in accordance with the terms of the trust.

In 1868, the Trustees offered (before the meeting of the General Synod) to the Managers of the Orphan Home to recommend that the Orphan Home be incorporated with the trust, but that offer was declined on the ground that the school estate was unproductive; while, from the existence of a contrary impression, such incorporation would probably lead to a great diminution of the private contributions.

The soil of the estate is unavailable for agricultural purposes or for depasturing.

The Trustees make it a rule to procure contributions to as large an extent as possible from Natives who may bring their children to them. From the commencement of St. Stephen's, the

Manager has always been a member of the Church Missionary Society, and paid out of funds provided by that body.

Rev. *Robert Burrows*, being duly sworn, states: The two latter dated grants recite the purchase of lands out of certain funds given by the Government for the establishment and support of the Taurarua school. To the best of my knowledge these funds were Imperial grants in aid of Colonial revenue, and were at the disposal of the Governor (Sir G. Grey) under directions from Home. Part of these funds being placed at the disposal of the Bishop for Native educational purposes, certain sums out of them were applied by him in the purchase of these lands. The school buildings themselves are all erected on the purchased land.

Extract from evidence of Mr. *Reader Wood*, Architect and Estate Agent, taken on 5th April, 1869.

On the same day (30th March) I visited St. Stephen's School at Taurarua. The acreage of the estate is 67 acres 2 roods 16 perches. It is all fenced, and has been in grass, but the greater portion of the land, which is exceedingly poor, and for agricultural purposes quite useless, is overgrown again with Manuka scrub.

The buildings on it are—1. A large wooden building, 120 ft. in length, with all the requisite apartments for a school or an industrial institution. At the back of this is,—

2. A building partly of stone and partly of wood, of the same length as the main building, divided into twelve rooms, of which eleven were intended for sleeping-rooms, and one is used as a bakehouse. There are a stable and a cow-house attached. Except a little shingling and painting these buildings are in good repair. They are worth about £1,200.

3. A printing-office (or building so used) in a good state of repair, worth say £70 to £80.

4. A dwelling-house, built by Mr. Roskrige, on a portion of the land held on lease for twenty-one years at a ground rent of £4 per annum. The house is occupied at present by the gentleman named, and is worth about £300.

5 and 6. Two small wooden cottages, erected by the Bishop of New Zealand, let respectively at 5s. and 4s. per week, and worth about £80 each.

7. A stone house, occupied by Mr. Kissling, at a rent of £30 per annum; worth £300.

8. A large building of timber, called the "Orphan Home," with centre of two stories, thirty-eight feet frontage, and two wings of one story, sixty feet each in length, with kitchens and dining-room detached. The buildings are in very good repair, and worth about £1,000. I do not know the terms on which this part is held. It is partly fenced off from the rest of the estate. I believe the Orphan Home is maintained by private subscriptions.

I consider that the whole estate is now being made of as much use as can be; but three or four years ago it might have been let very advantageously on long building leases—the site is a very fine one for building purposes. The selling value of the estate is probably about £100 per acre.

When I was at St. Stephen's there were seven boys, Half-castes and Maori, attending the Parnell day school attached to St. Mary's Church. They receive no education at the institution. In addition to these boys were three men, who maintained themselves—two being printers and one a tailor.

The dormitories were fair-sized rooms, and moderately clean. I did not see the children. There is accommodation for at least 150 children at the buildings of St. Stephen's proper.

At the Orphan Home, at the date of my visit, there were eighteen boys and nineteen girls. The whole place was scrupulously clean and neat. The dormitories contained single stretchers, and were well ventilated. The children were neat and tidy. The six acres occupied as the Orphan Home lies at one side of the estate, with a water frontage. It would not materially affect the value of the estate for letting. I did not see many of the children on the occasion of my visit, but, having often seen them at St. Mary's Church, I believe them to be mostly Europeans and Half-castes.

NOTE.—The remainder of Mr. Woods' evidence is published with the evidence on the estates to which it respectively relates.

### *3 acres, Mangere, near Onehunga—Church, School, and Cemetery.*

Rev. *Robert Burrows*, being duly sworn, states (copy of Record copy, Reg. A. 38, No. 4,762, Grant of 3 acres, Native allotment No. 10, Mangere, produced): I am acquainted with the history of this estate. It is a portion of land set apart originally by Potatau as a site for a church and glebe, in consequence of which a stone church was erected by subscription wholly amongst the Natives. Services were conducted in this building until the departure of the Natives in 1863. This land was included in the original grant to Potatau. A morning school was also in operation, under the direction of Tamati Ngapora, until 1863.

Rev. *R. Burrows*, being duly sworn, states (Record copy, Reg. iv., No. 26, Grant of 10 acres of land at Maketu, p. 69, produced): This land has been always occupied as a mission station, and as such was the residence of the Rev. T. Chapman till his removal to St. Stephen's. Since then it has been let to the Resident Magistrate, the rent being given the Native minister placed in charge on Mr. Chapman's removal, as part of his stipend.

Rev. *B. T. Dudley*, being duly sworn, states: My name is Benjamin Thornton Dudley. I am resident at Parnell, near Auckland, and am a clergyman of the Church of England, and Curator of the documents of the General Synod of that church in New Zealand.

I have had before me a schedule of certain free grants of land to the Bishop of New Zealand and others for religious and charitable purposes, and I have inserted in it the names of the present trustees of the several properties, from the authority of documents in my custody, and I have initialled the several entries in that schedule, which I have been able to verify. Those entries are correct to the best of my knowledge and belief. (For schedule, see Appendix.)

I know nothing of the management of the St. Stephen's institution.

SATURDAY, 27TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

*Various Lots—Trust Purposes.*

Mr. D. A. Tole, being duly sworn, states: My name is Daniel Austin Tole. I reside in College Street, Auckland, and I am Waste Lands Commissioner. I have examined the records in my office, and I am able from them to state which of the grants in the schedule submitted to me were granted upon purchase,\* and which were passed as free grants. The several grants of Reg. iv., No. 33, allotments 15, 16, and 17, of section 2; and Reg. iv., No. 48, allotment 9, of section 2, suburbs of Auckland, being part of the St. Stephen's School estate, was purchased; also, †Reg. A. 55, No. 9,003, allotments 228 to 234, of section 16, suburbs of Auckland, being part of the Cathedral Trust estate, was purchased. All the other grants were made as free grants. This is in reference to grants made on behalf of the Church of England. I will on a future day give evidence in reference to the grants made in favour of other denominations.

Mr. D. A. Tole, having been previously duly sworn, states: In continuation of my evidence given on the 27th March ultimo, I am now able to state that no consideration-money has passed for any of the lands referred to in the schedule of grants for the uses of the Roman Catholic Church submitted to me (excluding from reference the Grant, Reg. iv., No. 39, as being struck out of the schedule).

In respect of the grants for the uses of the Wesleyan Methodist Society, I find that the Grant Reg. 14, I., 2,233, was passed for consideration; the amount paid was £24, a fair average price. I cannot ascertain whether any such consideration was given in reference to the Grants iv. A., No. 122, and iv. A., No. 123. I have added to this schedule one grant made to Rev. J. Buddle for allotment 4, parish of Papakura, which appears to be a free grant.

All the grants mentioned in the other schedules submitted to me were free grants.

TUESDAY, 30TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

38 acres 2 roods 10 perches, Rotorua—Mission purposes. 175 acres 28 perches, Otawhao, Waikato—Mission purposes.

Rev. Robert Burrows (previously sworn) put in the following statement respecting the two properties named below, and certified to its being substantially correct:—

## TE NGAE ROTORUA.

This land was purchased from the aboriginal owners by the Agents of the Church Missionary Society, in 1838 or early in 1839, as a site for a mission station.

The claim of the Society was brought before Commissioner Godfrey, at Tauranga, but as the Natives of Rotorua were at that time at war with the Natives of Tauranga the witnesses to the purchase could not be induced to go to Tauranga to give evidence. The Commissioner was respectfully asked to examine the claim at Maketu, to which place the witnesses were willing to go, but he declined.

These facts were brought before Sir George Grey in 1849 by the Agent of the Society, and a request made for a grant to be issued to the Society in the usual form, but His Excellency was pleased to order the grant to be made out in its present form.

Immediately after the purchase the Rev. T. Chapman occupied the place as a mission station and continued there until 1850, when he removed to Maketu.

Shortly afterward the mission-house was occupied by H. Smith, Esq., then Resident Magistrate for the district. Since the removal of Mr. Smith the land has been lying waste, and the two buildings erected thereon have either been pulled down or have gone to decay. The few pounds paid by Mr. Smith as rent during his stay there was spent on the property.

## OTAWHAO, OR TE AWAMATU.

About 100 acres of this land was purchased from the aboriginal owners, either late in 1839 or early in 1840. The other seventy acres were given by the late Potatau and others, as an endowment for a Native school, on or about the year 1852.

Repeated applications were made to the Government prior to the gift of the seventy acres for a grant to the Church Missionary Society of the portion purchased by their agents, but Sir George Grey ordered both the properties to be included in one grant in the form in which it appears.

The late Rev. John Morgan was the missionary of the district when the purchase was made, and immediately after the purchase he commenced the station, and erected a dwelling-house for himself, and other necessary out-buildings, which, together with clearing the ground, fencing, &c., cost the Society from £400 to £500. The dwelling-house now forms the centre of the large building at present standing on the property.

About 1852, or early in 1853, moneys were given by Sir George Grey (I presume out of public funds at his disposal) for the erection of additional buildings to the mission-house, so as to enable Mr. Morgan to increase the number of Native scholars he then had in the mission-school. Other grants were subsequently made from the public funds, both for the enlargement of the building and for the further improvement of the property.

\* This purchase of part of land for St. Stephen's School was made out of moneys given by Government for educational purposes (see evidence of Sir W. Martin and Rev. Mr. Burrows, pages 4 and 5).

† This land, being an absolute purchase, was not inquired into further by the Commissioners.

Mr. Morgan continued in charge, and carried on a large school of Maoris and Half-castes up to, I believe, 1863, when by mutual arrangement between Mr. Gorst, Mr. Morgan, and the Agent of the Society the station and school were transferred for two years to Mr. Gorst. This gentleman remained in charge until compelled to leave the district on account of the war. Whatever the estate yielded up to this date was spent on the school.

After Mr. Gorst's departure the buildings were in the charge of a Native teacher until they were taken possession of by General Cameron, after the attack upon and the destruction of the Maori settlement of Rangiaohia. The troops remained in possession until the early part of 1867.

During the occupation of the property by Her Majesty's forces (more than three years) an annual rent of £100 was paid for the use thereof, and the amount of rent received was £325.

Shortly after the evacuation of the premises by the troops the land was let for five years (with the exception of 13 acres around the building), at an annual rent of £40. The large building remained useless until the 1st June, 1868. It is now yielding a rental of £12 per annum.

The following are the receipts and disbursements of moneys realised since 1864:—

<i>Receipts.</i>		£	s.	d.
Received from Government for three and a quarter years at £100 per annum	...	325	0	0
Rent from present lessees for one year and one-eighth, to Dec. 31, 1868	...	45	0	0
Rent of building, half-year, to 31st December, 1868	...	6	0	0
Total	...	£376	0	0

<i>Expenditure.</i>		£	s.	d.
Paid towards the salary of the Native pastor and teacher of the Upper Waikato, the Rev. Heta Tarawhiti, five years, to 31st December, 1868, at £30 per annum	...	150	0	0
Paid to Hohua te Moanaroa, Native pastor and teacher for Lower Waikato, for four years, to 31st December, 1868, at £20 per annum	...	80	0	0
Repairs of buildings and fences	...	18	0	0
Paid for eradicating thistles	...	15	0	0
Travelling expenses of agent to inspect the property	...	5	0	0
Drawing leases	...	2	0	0
Commission, &c.	...	1	5	0
Total	...	£271	5	0

	£	s.	d.
Receipts	376	0	0
Disbursements	271	5	0

Balance in hand ... £105 5 0

NOTE.—If the large building is to be kept in repair more than the balance of £105 5s. will be required at once for re-shingling and other repairs.

MONDAY, 5TH APRIL, 1869.

Present:—Mr. Hart, Mr. Heale, and Mr. Gisborne (subsequently).

Mr. A. Sinclair, being duly sworn, states: My name is Andrew Sinclair. I reside at Hobson's Bay, and am a surveyor employed in the Waikato Survey Office. Record copy, Reg. iv., No. 74, Grant of 3 roods 22 perches, church site at Rangiaohia, produced): I know the Grant referred to, and the land to which it refers. This land is included in the Confiscation Proclamation of 1864. I do not know whether any claim for compensation has been preferred in respect of this land. There has been no formal document of reservation of the land, but it has been excepted from sale. I cannot say whether there is any building on the ground.

Since stating the above I have discovered that a Grant has been directed to be (and has been) prepared for signature in favour of the Bishop of New Zealand, in trust for religious, charitable, and educational purposes, for lot No. 196A., parish of Punui, containing 2 acres 2 roods 32 perches, and enclosing the original Grant. It is not yet issued.

(Record copy, Reg. iv., No. 70, Grant of 870 acres, land at river Punui, produced): In this case the old lines were carefully searched for and followed in the late surveys. No formal reservation of this land has been made, but it has not been meddled with. A large number of reserves have been proclaimed within the confiscated lands for religious, charitable, and educational reserves, but none of them, to my knowledge, have been yet utilised. It is only in the Waikato District that these reserves have been proclaimed. I saw the land named in the Grant now under reference about six months ago. As far as I know it is unoccupied, and very little, if at all, improved.

(Record copy, Reg. iv., No. 35, Grant of 73 acres 38 perches land at Otawaho, or Awamutu, produced): This land is in the occupation of Dr. Waddington, but I cannot give any information as to the terms of his holding. I am not aware whether he has made any improvements or no. I have seen Mr. Grace since giving the above evidence, and he informs me that he proposes shortly to go to reside upon this land himself.

In respect of most of these lands, the amounts reserved have been nearly identical in area with the original Grants, but they are not exactly on the same lines, a fresh arrangement of boundaries roads, &c., having been made.

NOTE.—For information as to position of Waikato Religious and Educational Grants, see letter of Mr. Commissioner Heale, 17th April, 1869, Appendix.

Mr. A. Sinclair, having been previously duly sworn, states: I produce a copy of *New Zealand Government Gazette* of the 12th August, 1868, No. 48, containing a schedule of the Religious, Charitable, and Educational Reserves made in the Waikato District, along with reserves made there for other purposes. I also furnish a statement of the present reservations made to replace the Grants that were within the confiscated district, and which had accordingly lapsed.

Having reference to the lands in Mechanics' Bay, granted for the site of the Native hostelry, they are under the management of Mr. Mackay, the Civil Commissioner. Two lots, measuring one quarter acre each, are let to Messrs. Archard and Brown and to Messrs. Hunter and Son respectively, at £20 per annum each; one from the 1st April, 1868, payable half-yearly in advance, and the other from the 16th of the same month.

In reference to the Onehunga Hostelry Reserve, I will endeavour to ascertain and communicate information, but I can give no evidence of my own knowledge on this head.

The allotment No. 4 of section 12 of the City of Auckland is unoccupied by any individual, and part of it will be required for the construction of a road. I think it ought to remain unappropriated. No leases have been executed to Messrs. Hunter and Son, and Archard and Brown.

### Roman Catholic Church.

THURSDAY, 25TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

*Lots 22, 23, 32, 37, 39, and 50, 376 acres 1 rood 28 perches, Takapuna, North Shore—St. Mary's College and Industrial School.*

Mr. H. McIlhone, being duly sworn, states: My name is Hugh McIlhone. I reside at the North Shore, and am a school teacher and Manager of the Roman Catholic College at that place. (Record copy, Reg. iv., No. 30, Grant of 376 acres 1 rood 28 perches, allotments 22, 23, 32, 37, 39, and 50, Parish of Takapuna, produced.) I know the properties comprised in this Grant. The whole of this land, except about five or six acres, is at present leased, in different portions, for periods of twenty-one years. I will furnish a list of the tenants, rentals, and unexpired terms of these leases. The rents are at the rate of 2s. 6d. per acre for the first seven years, 5s. for the second period of seven years and I think 7s. 6d. or 10s. per acre for the third period of seven years. I receive these rents as part of my general duties. Prior to the departure of Bishop Pompallier for Europe during last year, these rents were applied partly to the maintenance of the school and partly to pay the interest on a sum of money, about £600, which Bishop Pompallier states he borrowed and expended for the use of the institution in the years, I think, 1863 and 1864. I was first appointed to the school 2nd November, 1864, but did not undertake the management of the institution till March, 1865. The money above referred to was not expended while I was in charge of the institution. Prior to my taking charge of it it was under the direction of the Rev. Laurence Vinay, now resident at Rangiaohia.

The amount I have received since I took the management of the estate to the present date is £151 12s. 3d.; there are at this date about £60 outstanding as arrears, of which I consider about £20 as bad. I have expended the bulk of this money on the general management of the institution. The money does not go through the hands of Bishop Pompallier at all. I only submit accounts to him. The accounts were inspected by two priests, sent by the Bishop for the purpose, periodically. These gentlemen examined the accounts both of receipts and expenditure, and signed the books in token of their satisfaction with the correctness of the accounts. [Book produced and signatures exhibited.] The books were last examined for the period ended 30th June, 1868. Vouchers were regularly required in support of my accounts. I will produce at my next examination, or forward to the Commissioners, a summary of receipts from various sources on account of the College for the several years since I assumed the management, and a similar return, under general heads, of expenditure on its account.

Prior to the leasing of the College lands a considerable sum of money was spent in improvements on the estate, a good deal of it being fenced. This portion was then not leased, but is now leased at a higher rental than the residue. Since I have been in charge no money has been spent except by the lessees. A school has been erected upon an acre of land reserved out of the part last mentioned, I believe, by private contributions of the inhabitants, and used for the education of their children. There was a schoolmaster, paid in the ordinary way under the Education Act, and holding a Government certificate. The school is now vacant.

The gross rental of the estate is about £90 per annum. The portion above referred to as let at a higher rental is 100 acres. This is let for eleven years at £50 per annum, and for the residue of ten years at £60 per annum.

Most of the tenants have erected buildings on their holdings, in all about six—some of wood and others of brick. The lands are in cultivation as a whole. They lie about a furlong from the college buildings.

The school-house is at present vacant. It is proposed, if practicable, to procure a schoolmaster there under the last Provincial Education Act. The average daily attendance used to be about twelve. The population of the district has increased since then, but probably the number of children attending school will have diminished.

The College buildings are of stone. They are situated on land the purchase, so far as I understand, of Bishop Pompallier, but I am not aware whether as private property of himself, or as belonging to him as Bishop. The allotment is numbered 77, Takapuna. On this land there are situated also a church, of wood, and a house, also of wood, used till recently as a teacher's residence, but now as a cook-house. The sunk floor of the College buildings was undivided, but is now partitioned; it measured in all about 50 ft. by 20 ft. The ground floor contains one large room used as school-room and refectory, capable of accommodating 100 pupils, and five other rooms; on the floor above is one large room used as a dormitory, and having sleeping accommodation for 100 children, and four smaller rooms. Another floor above this was commenced, but remains uncompleted. The roof is covered in above the whole.

The church can seat about 100 adults. It was erected partly by private subscription. I am not aware at whose cost the college buildings were erected. The contributions towards the building of the church passed in part through my hands.

When I took charge of the College there were sixteen pupils. There had previously been more, but Father Vinay, on leaving for Waikato, removed some of the pupils with him, I think about twenty, Native and Half-caste boys. Of those left, two were Natives and fourteen Europeans, all boys. The children were in a very filthy state when I took charge of the College, and the state of education was very low; but the children were young, ranging in age from three to eight years. Beside M. Vinay, I am not certain whether there were any teachers there. There were some students, and I have heard that they sometimes acted as teachers. I will furnish returns of the average attendance of scholars from March, 1865, showing race, sex, and average ages. Since 1867 the average attendance has been:

March quarter, 1867	...	46 Europeans,	10 Natives and Half-castes	} Aged 3 to 10 and some 18.
June "	...	37 "	11 "	
September "	...	38 "	13 "	
December "	...	35 "	17 "	
March quarter, 1868	...	30 "	17 "	
June "	...	35 "	15 "	
September "	...	25	...	}
December "	...	20	...	

For the year 1867, the average cost of these pupils was £12 7s. 6d.; for the year 1868 it amounts to £14 2s. 8d. This increase is attributable, in my opinion, to the decrease in the number of pupils resident.

For a considerable time (1867 and part of 1868) there was another regular teacher, since dead. There was always some one there resident, priest or student, who could take my place if required.

There was no distinction made in the treatment of European and Native children. They had always, except in the case of very young children, single beds—they had mattresses, sheets, and blankets. The dietary allowed rice and sugar for breakfast, potatoes and soup for dinner, oatmeal and milk for supper. Meat was sparingly allowed, the purchases were mostly of soup-meat. On Fridays they had coffee and biscuits as a substitute for the soup. There was no restriction in the amount of food allowed. The hours were generally,—from 9.30 a.m. to 11 a.m., English secular instruction; from 11 a.m. to 12.30, work on the College grounds; during this time the boys were in charge of a farming overseer, who was paid from the funds of the institution (self and wife) at the rate of £50 per annum, together with rations. His duties were to teach the boys agriculture. His wife was employed in cooking and washing, and as a general servant. At 12.30, dinner and play till 1.30 p.m., then out-door work was resumed till 4 p.m., then school again until 6 p.m. At 6.30 p.m. they had supper, and from 7 p.m. to 8 p.m. they were generally employed in religious instruction under the priest or some of the students resident at the College. Most of the children were too young for labour, and with them "out-of-door work" could only signify recreation.

When I had no assistant in the school I generally employed one of the elder pupils, European or Half-caste, to assist me in teaching.

On Monday there was no school. This day was set apart entirely for washing clothes, which the boys were taught to do for themselves. Saturday also was appropriated to washing out the buildings, and general personal ablutions. This course was regular with very few exceptions. Sunday was set apart for religious exercises and walking.

The school was frequently inspected by the Bishop, or those sent by him, as well as by the Government Inspector. The ecclesiastical visitors, to my knowledge, never expressed dissatisfaction with their inspection.

There appeared to have been great neglect and want of system before I took the charge. This showed itself in the dirty and ragged condition and apparently low diet of the children.

There has been no uniform clothing (most of it being given gratuitously), except when they walked out on any public occasion, when they were all clothed alike in blue. On those occasions they wore shoes and socks, but not at other times. I have used the past tense here, as the attendance has now fallen to only four pupils, of whom only two are paid for by the Provincial Government; one European and one Native are not paid for at all.

Of the European children in the establishment all were admitted by order of the Provincial Government at a capitation allowance, originally of £10 per head, reduced about twelve months ago to £5. I then declined to admit any children at this rate, as we could not support them. Even at the £10 rate the institution was at a loss for the board of the children (omitting any notice of their lodging or education) of more than £4 per head.

The General Government capitation allowance for Natives was discontinued on the 31st December, 1868. I was first informed of the intention, I think, in November, at which time I had



about twenty-five Native pupils, subsequently got rid of. The rental of the estate (about £84), and the capitation on two children at £5 per head, are the only revenue of the establishment.

Exclusive of the principal and any interest due by Bishop Pompallier, as above referred to, the College is in debt about £250. This debt consists of my salary as teacher, about £150, and bills of groceries, &c., for which I am responsible, about £100.

When I went to the institution I had no certificate from the Board of Education. It was arranged that so long as I continued so uncertificated I was to receive £50 per annum from the funds of the institution, together with board and lodging. This was of the services of myself and of my wife, who acts as matron. As soon as I obtained a certificate that amount was to be reduced by the institution to £25. I got my certificate in June, 1865. I should then be entitled to £50 per annum from the Provincial Government, which sum was paid to me up to December, 1867. Shortly after this the Education Act was repealed, the old arrangement with the institution still subsisting. I have never received any money on account of salary from the institution, and consider myself entitled to revert to the sum of £50 from the date of the repeal of the Education Act, when Provincial salary ceased. On this calculation the amount owing to me up to the end of the current month is £150. I know of no other debts owing by the institution beyond what I have named.

At present the twenty acres of the College grounds produce nothing beyond what arises from two cows which graze on them. Previously to this year the produce raised from this land by the pupils, under the direction of the farmer above named (whose salary has been paid), was all consumed on the premises.

I know of no other endowment of the College than what I have named.

There were priests and students resident at the College. They would not number more than two as continuously resident, on the average. The institution was credited with the cost of their board. They used to teach in the school.

I am responsible for my management to the Bishop, and in his absence to the Vicar-General. While the Bishop was here he did not administer the funds, but only caused the accounts to be inspected and verified. In his absence I consider the Vicar-General to stand in the same position to me.

The school has been periodically inspected by the Government. The last inspection was by Mr. Eytton, within the last nine months. I have seen his report, which was laid before the House of Representatives in its last session. It was generally favourable. There was also a Provincial inspection, under the Provincial Education Act. This was held by a priest appointed by the Bishop, and known as the "Special Inspector" of Roman Catholic Schools. This "special inspector" was Dr. James McDonald.

I cannot state from my own knowledge when the buildings were erected, but I think it was in the time of Bishop Viard, and about twenty years ago. They are at present in a state of tolerable, but not of good, repair. I do not believe that the College was wholly built at the cost of the Government, but I have heard that the Colonial Government gave a sum of from £1,600 to £1,800 to complete the buildings. I have heard of grants being made from time to time, but all such were previous to my personal knowledge.

I am aware that there exists a lien on the allotment of land on which the College stands, but I know of none affecting the endowment estate. Out of the twenty acres which the allotment first named is supposed to contain, sixteen acres—not including the actual site, so far as I believe—have been sold under a mortgage-deed made by the Bishop to a Mr. Chamberlin, that gentleman being himself, I think, the purchaser. The remaining four acres, containing the College site, I think, was some time ago taken in execution at the suit of Allan O'Neill, for a debt of about £300, which became due by a promissory note made by Bishop Pompallier in favour of myself, and bearing O'Neill's indorsement, and which was dishonoured on being presented. These four acres, I believe, have been sold to Mr. William Swanson, who paid the debt to the Sheriff. I believe he has bound himself to give up the land at any time within the next eighteen months, provided the money so advanced by him be repaid, together with interest thereon. This undertaking also binds Mr. Swanson not to interfere during that period with the working of the College.

Unless it be done at the expense of Government, I fear there is no other source from which funds are likely to be derived for resuscitating the College.

I wish to add that since the departure of Bishop Pompallier the rents of the endowment estate have been wholly applied to the maintenance of the institution.

GENTLEMEN,—

St. Mary's College, North Shore, 26th March, 1869.

In continuation of my evidence I beg to submit the following:—

#### SCHEDULE OF LEASES.

1. Mr. Patrick Melavin. Date of lease, 23rd September, 1863. For twenty-one years. Thirty acres at £4 per annum.
2. Mr. James Kelly. Date of lease, 23rd September, 1863. Seventy-one acres at 2s. 6d. per acre for first seven years, 5s. for the second, and 7s. 6d. for third.
3. Mr. James Fitzpatrick. Date of lease, 23rd September, 1863. For twenty-one years. Forty-five acres on the same terms as Mr. Kelly (No. 2). Amount of arrears, £10 18s. 9d.
4. John De Courcy Ireland. Date of lease, 1st January, 1866. Ten acres at £4 10s. per annum. Length of lease, only five years.
5. Mr. Daniel O'Connor. Date of lease, 1st October, 1866. Sixty acres at 2s. per acre for twenty-one years. Amount of arrears, £6.
6. Mr. Thomas Nicholson. Date of lease, 1st of January, 1867. One hundred acres, at £50 per annum for first ten years, and £60 per annum for residue of twenty-one years. Amount of arrears, £37 10s.
7. A tribe of Natives occupy the balance at a promised yearly rental of £10. Amount of arrears, about £10.



## INCOME.

1. In the year 1865 the total income amounted to £287 18s. 3d. Of this sum the Provincial Government paid (as capitation fees) £235 3s. 7d.; the balance from various sources.

2. In the year 1866 the total income was £597 13s. 8d. Of this sum the Provincial Government paid (as capitation fees) £425 18s. 5d., and the General Government paid £45. The sum of £38 10s. 6d. was got from the rents of the trust estate in this year; the balance from various charitable and other sources.

3. In the year 1867 the total income was £521 4s. Of this sum the Provincial Government paid as before, £324 17s. 4d., and the General Government paid £71 13s. There was a sum of £44 5s. got from the rents of the trust estate in this year; the balance as before.

4. In the year 1868 the total income was £438 2s. 2d. Of this sum the Provincial Government paid (as capitation fees) the sum of £124 10s. 8d., and the General Government paid £196 16s. 6d. There was a sum of £56 11s. 9d. got from the rents of the school estate, and the balance as in former cases.

## EXPENDITURE.

1. In the year 1865 the total expenditure was £335 7s. 1d. Of this sum, about £240 was paid for the food and clothing of pupils, the balance for current expenses.

2. In the year 1866 the expenditure was £607 5s. 9d. Of this, about £450 was expended for food and clothing, about £50 paid to servants, and the balance in current and other expenses.

3. In the year 1867 the total expenditure was £638 19s. 7½d. Expended in the same way as in 1866.

4. In the year 1868 the total expenditure was £375 3s. 5d. Of this sum, £280 was expended for food and clothing for pupils, £50 paid to servants, and the balance in the ordinary way.

Average number of pupils in 1865: European, 29; Maori and Half-caste, 4. Average age of Europeans, 7 years; Maoris, &c., 11 years.

Average number of pupils in 1866: European, 43; Maori and Half-caste, 10. Average age of Europeans, 8 years; Maoris, &c., 14 years.

Average number and ages for 1867 and 1868 given in evidence.

H. McILHONE.

Mr. H. McIlhone—(6th April, 1869),—having been previously duly sworn, states: The promissory note, in respect of which the property of St. Mary's College, at the North Shore, was seized and advertised by the Sheriff for sale, was originally given for the sum of £404 1s. 3d., which was subsequently reduced by about £80 from the proceeds of a sale of Bishop Pompallier's furniture.

None of the debt, that I am aware of, was incurred on account of St. Mary's College estate, but it arose out of private transactions between the Bishop and myself. The bill was indorsed at my request by Mr. J. O'Neill.

SATURDAY, 27TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

Mr. William Swanson, being duly sworn, states: My name is William Swanson. I reside in West Queen Street, Auckland, and am by trade a shipwright. A portion of the allotment No. 77, Parish of Takapuna, containing four acres more or less, and being the site of the buildings of St. Mary's Roman Catholic College at the North Shore, has been conveyed to me.

The land in question was seized under a judgment debt, and was advertised by the Sheriff to be sold by auction on the 3rd March. I paid off the debt in respect of which it was seized, amounting, with costs, to the sum of £325, with a view of preventing what I considered discreditable. I bought the land and buildings on it absolutely. After this I wrote a letter to the Vicar-General, undertaking, on receiving back my money, without interest, either within two months of the return of Bishop Pompallier from Europe, or, in case of his not returning, then within eighteen months from the date of my letter, to re-convey this land to the Bishop himself or to the Vicar-General, as the case might be. I have made an entry in one of my books for the guidance of my representatives in case of my own death. I have not executed any legal document binding me in this behalf, but I consider myself bound by the terms of my letter.

I also stated in my letter that I would not interfere with the management of the property, during the time limited, so long as it was used for the maintenance of the orphans. I only stated that I would insure the buildings.

If the property is not used for the maintenance of the orphans I will at once assume possession of it. I will furnish a copy of the letter which I wrote to the Vicar-General.

When I had a conversation with the Roman Catholic clergymen, before I paid off the debt, it was agreed to have the land conveyed to me absolutely on my paying off the amount.

Copy of letter from Mr. Swanson referred to.

SIR,—

3rd March, 1869.

I promise to re-convey the property that the College is on to you for the same money that I paid for it, any time you like during the next eighteen months, if the Bishop does not come home in the interval. If he does, I expect that in a month or two after he comes it will be settled; and, generally, that if you can make it right before the year and a half you will do so, but I shall not ask it. You are to use the place and all the buildings and all its incomes, if any, as before, and till he comes, or the eighteen months are up—no interest to be charged; but I would like the houses and buildings insured in my name.

To the Very Rev. James McDonald.

Yours, &c.,

WM. SWANSON.

TUESDAY, 30TH MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

The Very Reverend Father *McDonald*, specially requesting to be excused from the administration of an oath, states: My name is Walter McDonald. I reside in Auckland, and I am Private Secretary to Bishop Pompallier, the Bishop of the Roman Catholic Diocese of Auckland. I am acquainted with the property on the North Shore, on which the College of St. Mary stands. (Office copy of a deed executed by the Registrar of the Supreme Court in the name of Bishop Pompallier produced.) The College buildings were erected on the north-east portion of the lot, containing 19 acres 3 roods 39 perches, referred to in that deed. There was a mortgage for £1,000 originally, I believe, subsequently diminished by the amount of £250 held by Mr. Chamberlin, secured on this and other properties included in the above-mentioned deed. These several properties were sold by auction, Mr. Henry Chamberlin being the purchaser, there being then an understanding that Mr. Chamberlin would re-convey the lands in question on his claim being discharged. I think there is a written promise to this effect, to stand good for the first six months after the date of that sale. I believe Mr. Chamberlin is ready to give effect to that promise at any time, though that period of six months has expired.

I am not aware of the circumstances under which the debt to Mr. McIlhone, on account of which the Bishop gave that gentleman the promissory note which was afterwards put in suit, was contracted. I will cause a search to be made for documents, and produce them at a subsequent date, giving information on the points following:—

1. As to payments made by the General Government towards the erection of St. Mary's College at the North Shore.

2. As to the nature and origin of a claim for £600 made by Bishop Pompallier against the estate.

Mr. McIlhone will be best able to explain the circumstances of the debt of £400, which led to the seizure and sale of the land on which the College buildings stood.

I am not aware of any other debts affecting the estate, except the two above referred to, and a claim preferred by Mr. McIlhone for salary and other things, amount undetermined. Mr. McIlhone's accounts were examined and verified periodically, under the direction of the Bishop.

In case the North Shore College were relieved from its present liabilities, but without the renewal of the capitation allowance from either the General or Provincial Governments, I do not think that it would be possible to revive and carry on the College upon the present revenue as derived from the rents of the estate. If the capitation allowance of £10 per head were given, I think the institution could be satisfactorily carried on. I believe the Roman Catholic Mission would endeavour to assist towards this object if requested. On one occasion, at the time when the Provincial capitation money was reduced to one-half, a sum was raised by contribution to the amount of £54, which was distributed between this and other institutions. There are, however, no funds regularly available for this purpose.

I consider the discontinuance of the capitation, taken in connection with the state of hostilities in which the Natives for some time past have been engaged, have led to the failure and present suspension of the institution. I consider that this suspension is greatly to be regretted. Many of the Arawa, now fighting on behalf of the Government, were pupils at the College; also, many of the Natives resident at the North Shore and elsewhere, whose fidelity to the Government has been conspicuous. [Printed copy of "The Auckland Roman Catholic Endowment Sales Act, 1858," produced.] I have not previously seen this Act, but I have heard of it. So far as the North Shore lands are concerned, I believe no action has been taken upon its authority.

I desire particularly to commend to the liberality of the Government the advisability of giving its assistance towards resuscitating this institution, on behalf of which I believe the Natives are much interested, although no appeal has been made to them to contribute directly to its support. Many of its former pupils are valuable and interesting men among the Native race.

I do not consider the endowments of the North Shore College of so great a value as might at first sight appear, owing to the poverty of the land, which would require a very great expenditure to render it available for agriculture; also the necessity of water-carriage for all supplies required, and the shallowness of the water in Shoal Bay, which limits the time that carriage thither is practicable in the course of the day.

The Very Rev. Father *McDonald*—(31st March, 1869),—being again in attendance, requested that his evidence might, as before, be accepted without the administration of an oath. In answer to the two questions referred to me on the last occasion, I find, from documents:—In 1850, the sum of £685 was contributed by the Colonial Government towards the expense of buildings; in 1851, a sum of £560 for like purposes; and in 1852, a sum of £530 for like purposes: making a total of £1,775. The amount contributed by the Bishop to the same purpose was £382 4s. 9½d., making a total from both sources of £2,157 4s. 9½d.

The sums granted during these three years by the Government probably covered the original cost of the buildings, but considerable sums have been since expended upon them in repairs, alterations, and improvements. There was also much outlay for agricultural implements, &c., also, farming operations in that district are often impeded by the length of the winter rains, and crops, in consequence of the same, are precarious. It may also not unfrequently happen that the Manager may not have kept strictly within the amount available for the expenditure of any given period, and deficiencies would in this way arise, which would, for the credit of the institution, be met by the head of the denomination. In this way an amount of debt would gradually accumulate which might be fairly considered as chargeable against it.

I have referred to this outlay as partly arising from the purchase of what may be called capital stock. Most of this stock has been disposed of. There are at present no farming operations going

on, except by the tenants on their own account. Under the circumstances in which the lands adjoining the College now stand, no improvements are at present being carried on.

There was no ledger kept, nor accounts to which I have access, in which the capital account of the College was entered as distinct from the annual current revenue and expenditure. The Bishop, no doubt, possesses such.

The Education Act of 1857 provided for a system of special inspection in cases of denominational differences. We and other religious bodies generally were well satisfied with the working of that Act. On the other hand, the working of the Public Schools Act of New South Wales has not been at all satisfactory to the members of the Roman Catholic Church in that Colony, who could not conscientiously accept the benefits offered by that Act. I fear that something of the same sort might result if any uniform system were attempted to be enforced in a central institution, such as has been proposed by some to be substituted for the present three denominational schools. The repeal of "The Education Act, 1857," and the failure of the Acts proposed to be substituted for it, have had a very seriously injurious effect upon the schools, many of which have in consequence collapsed, and proved a heavy burden upon the clergy and laity, who have been obliged to supply by private contribution what should have been, and was formerly, provided by the Government. I consider that the withdrawal of the Government aid from the certificated teachers was one of the causes which led to the failure of the College at the North Shore.

The house mentioned at Freeman's Bay as partly a catechist's residence and partly a house of prayer was built out of the proceeds of the Nelson Street property (allotment 9 of section 25); and the proceeds and rents of the property at Freeman's Bay are devoted to the support of the Nazareth Institution. The objects of this are the reception of Native and Half-caste girls.

We have in Auckland eleven schools now in operation, well supplied with all school furniture, &c., and the premises and buildings kept in creditable condition. The aggregate numbers attending average 400. We have also five churches and two private chapels within the city district. We are careful to maintain both churches and schools in the highest order. The contributions raised towards church, school, and charitable purposes, exclusive of the support of the clergy, have amounted to at least £3,000 during the last seven years. This sum has been raised, by voluntary contributions only, by myself.

Extract from evidence of Mr. *Reader Wood*, Architect and Estate Agent, taken on 5th April, 1869.

On Saturday, the 3rd April, I visited the College of St. Mary, at the North Shore. It consists of—1. A large building of scoria, seventy-five feet by twenty-five feet, two stories in height, with basement floor (unoccupied), well and substantially built, but ill-finished inside. There is a school-room on the ground floor, parlour, and some small rooms used as bedrooms; upstairs is a large loft, open to the roof, and four small bedrooms. Value, about £800. 2. On one side of the above is a cooking-house of wood. 3. A small chapel. The land is good, and well situated at the head of Shoal Bay.

I cannot assign a value to the buildings with the four acres surrounding. The twenty acres of section 77, Takapuna, are good ground, and worth perhaps about £10 per acre.

I was employed in the erection of the buildings, but I knew no other person in the matter except Bishop Viard, then administering the diocese.

There were six children, three Europeans and three Maoris, at the time of my visit; they were occupied in scrubbing the floors of the building. I was told that there were sometimes more and sometimes less, as they went and came. They appeared clean and well cared for. The buildings were also kept clean. There is accommodation for perhaps 120 or 130.

On the 5th (this day) I inspected the Nazareth Institution, near Freeman's Bay, used for educational purposes, and built, as I was informed, partly from public funds and partly from mission funds. The buildings, of timber, are in the form of a quadrangle. The front, of two stories, contains a little chapel, and apartments occupied by nuns. One side consists of a schoolroom and dormitories; on the opposite side are the kitchen and refectories. The buildings are in good tenantable repair, but are in want of painting. The value may be estimated at £500.

There are also about 5 acres 3 roods held under a free grant from Sir G. Grey, with a frontage to Freeman's Bay, a little distance off. This land is fenced and partly cultivated, and there are on it two small dwelling-houses—one a small three-roomed house, the other a long low building, surmounted with a cross. The value of these may be £50 each. The land was let, the proceeds being devoted to the Nazareth Institution, but is not now let. The land is worthless except for building sites. For this purpose it would be worth from £80 to £90 an acre.

At the Nazareth Institution there are three Maori and seven Half-caste girls, in all 10. It would accommodate three times that number. They are taught by the Sisters of Mercy. The whole place was very clean and nice. Single iron bedsteads are provided for the inmates. I tried some of the girls in reading. They read well in English; they also wrote fairly.

Having heard the evidence of Mr. McIlhone read respecting the terms on which the endowment land of the North Shore College is leased, I think those terms are as advantageous as could at present be reasonably expected.

NOTE.—*The remainder of Mr. Wood's evidence is published with the evidence on the estates to which it respectively relates.*

Mr. *P. Dignan*, being duly sworn, states: My name is Patrick Dignan. I reside in Auckland, and am a settler. I have been resident here about twenty-seven years, and during that period have been constantly a member of the Roman Catholic community here, and have interested myself actively in the conduct of its affairs up to the period of the passing of "The Roman Catholic Endowments Sales Act, 1858."

If it were proposed to vest the temporal properties of that Church in bodies of lay trustees, I think that suitable persons could be found willing to accept those trusts.

The allotment No. 77, Parish of Takapuna, was purchased from Mr. Bellingham by the Roman Catholic Mission; but I understood at the time that it was by the assistance of the Government that the Mission were enabled to do so. By comparison of the dates of the first grant of money and of the conveyance from Mr. Bellingham to the Roman Catholic Bishop you will arrive at the conclusion whether the money paid for the land was supplied from this source or no. I was not aware of any other fund from which it could have been supplied.

At the time when the college buildings were erected the understanding with the Government was that the most suitable site should be purchased. I was asked to be sole trustee for this land so purchased at the time of the purchase, but declined to be alone in the trust, as I was about proceeding to England. Mr. Conroy, then solicitor to the Bishop, raised some objection to others being associated in the trust, and I did not become trustee. I certainly never contemplated such a position of the estate as that it should be at any time alienable from the purpose for which it was originally intended to be used.

When the land was purchased I did not entertain a very favourable opinion of the suitability of the site; but the reasons assigned to me induced me to alter my opinion. The redemption of the four acres held by Mr. Swanson would not by itself restore the institution to a state of efficiency, unless the remainder of the twenty acres held by Mr. Chamberlin were also included in this redemption, because the four acres would not offer any sufficient means of giving the industrial training which is required in the terms of the grant of the endowment lands.

Memo. of search as to Lot No. 77, Takapuna. (St. Mary's College, North Shore.)

Conveyance dated in 1852. Entry minuted a nullity, on the ground that the deed was cancelled and left by mistake. Conveyance dated 23rd November, 1855; Bellingham to Pompallier. Registered, No. 7,672. Crown Grant to Bellingham dated 8th March, 1845.

NOTE.—This search was made by Mr. Commissioner Hart.

*Lot 15, Section 8, Suburbs of Auckland—Industrial School. Lot 15, Section 8, Freeman's Bay.*

The Very Reverend Father McDonald, being again examined, states: I know this property, on which there is a building at one time used as a Native school. There are generally three catechists residing in this building, but of these two are at present absent. There are at present no scholars, nor have been regularly for about six years. The school was a kind of offshoot from St. Mary's College at the North Shore. The place could hardly be called a church, though sometimes used as a house of prayer by the Natives. It was rather employed as a hospital. Part of this land was let for a term of years, but the lease has lapsed to the Bishop.

*Lot 1, Section 9, 1 acre, Howick—Church Site. Lot 2, Section 9, 4 acres, Howick—Glebe.  
Lot 1a, Section 9, 1 acre, Howick—Cemetery.*

The Very Reverend Father McDonald: I know these allotments. There is on them a church of wood, capable of accommodating about 250 persons: also a school, with an average attendance at the present of forty pupils, boys and girls: also a presbytery with five rooms: also stabling and necessary out-buildings. The premises and buildings are well kept. The land is of inferior quality. The cemetery adjoins the glebe, and is maintained in similarly good condition to the remainder of the property. The property has lately been added to by a small purchase adjoining the church site, through the exertions of the resident pastor.

*Lot 51, Section 2, Panmure—Church Site. Lot 51a, Section 2, Panmure—Glebe. Lot 52,  
Section 2, Panmure—Cemetery.*

The Very Reverend Father McDonald: The church and cemetery sites are contiguous, and contain a church capable of accommodating from 250 to 300 persons. There are also a small room, or vestry, and out-buildings. The public hall recently erected is on a half-acre of land purchased by the resident clergyman of Howick, who takes charge of the Panmure District. The glebe is not occupied as such, there being no clergyman resident in the village, but there is on it a mixed school, with an average attendance of fifty pupils.

The same observations made in reference to Howick apply also to the state of the buildings and premises at Panmure, which are under the charge of the same pastor.

*Part of Section 18, City of Auckland, 1 acre 13 perches—Church Site.*

The Very Reverend Father McDonald states (Record copy, Reg. iv., No. 38, Grant of 1 rood 13 perches, allotment 34 of section 18, City of Auckland, produced): I know this land. It is the site of the Cathedral of St. Patrick and of the Conventual Schools, three in number, with an average attendance of about 150 pupils at present. The attendance was at one time as large as 300 scholars. I believe the whole of these buildings, including also a residence for the sisters employed in tuition, were erected without Government assistance—from contributions of the congregation and funds at the disposal of the Bishop, and perhaps assistance from the Society De Propagandâ Fide.

With respect to the school conducted by the Sisters of Mercy, no child is refused admission, irrespective of the creed of the parents or their ability to pay for education. On the withdrawal of the Government stipends to the certificated teachers, a regular system of canvassing through the town was adopted, by means of which the schools were maintained in their present state of efficiency, although unendowed.

*1 acre 2 roods 14 perches, Rangiaohia, Waikato—Church Site.*

The Very Reverend Father *McDonald* states: On this property there is a church and school, and a residence for a priest. M. Vinay, who is the resident clergyman here, had a school, for which he regularly received the capitation allowance.

*191 acres, Rangiaohia, Waikato—Native School.*

The Very Reverend Father *McDonald* states: I believe this property was leased, but the tenant was unable to fulfil the conditions of his lease in consequence of the state of the country. I believe a part of the land is improved and grassed. I cannot say whether M. Vinay maintains any school here at present. He may have a few boys staying with him. I know of one who has been a scholar in our institution for seven or eight years past.

Mr. *A. Sinclair*, being duly sworn, states: In reference to the Roman Catholic church site at Rangiaohia, I believe there are buildings on it, and that there is a priest resident there. The land itself is within the proclamation of confiscation, but land including it, amounting to 6 acres 2 roods 8 perches, has been set aside and exempted from sale or selection, as before stated in reference to the Church of England site. This grant has also been prepared, but not yet issued.

I will prepare a statement and submit it to the Commissioners, giving such information as is in my power with respect to the position, areas, &c., of these and the other lands in the Waikato District which have been formerly granted, and appear to be affected by the proclamation above named.

Also, with respect to the Native hostelry and the washing-ground in Mechanics' Bay, and the Native hostelry at Onehunga, I will endeavour to obtain information.

NOTE.—For further information as to position of Waikato Religious and Educational Grants, see letter of Mr. Commissioner Heale, Appendix.

*Various Church Sites in Villages.*

The Very Reverend Father *McDonald* states: We have a clergyman who visits Whangarei, Matakana, and Albertland, and other of the Northern districts; also, one who visits Mongonui; also, one who visits the northern portion of the Waikato District. We have not resident ministers or chapels at any of these places, in which population is very sparse. Visits of clergymen to these districts are not always regular, but they are announced as long beforehand as is possible, in order to give as much convenience to the inhabitants as possible. These selections are made in anticipation of their eventually becoming centres of population. The clergyman from Rangiaohia visits Raglan regularly, since we have but a small population of our communion resident there, which could not support a resident clergyman.

There was a clergyman resident at Coromandel, and a church built—not on the free grant, but on the mainland. He is at present absent on account of his health, but visits continue to be made to the district.

*Lot 22, Section 8, 5 acres 18 perches, Suburbs of Auckland—Cemetery.*

The Very Reverend Father *McDonald* states: I know the allotment in question, which is used for the purpose of a cemetery, in accordance with the trust. About six years back, on my return from Rome, I raised a sum by public subscription, which I used for placing the cemetery in a proper condition. The church of St. Francis de Sales and a sexton's house are built within the cemetery, the whole representing an outlay, during the time named, of about £1,000. This church being used as a mortuary as well as a parochial chapel, I consider the occupation to be within the terms of the trust.

*Lot 26a, Section 11, 2 roods, Takapuna—Cemetery.*

The Very Reverend Father *McDonald* states: I believe that as yet no interments have taken place here. In case of any deaths in the North Shore District, the interments have, till the present time, been made either at Auckland or in land in another portion of the district obtained from Mr. P. Callan. I think this site may be required before long for the erection of a church. It was in contemplation to lease this allotment for a short time (reserving a part for the purpose of the trust), in order to have the land fenced and improved, as the population resident are not in a position to incur the expense themselves, but the project was not carried out.

*Lot 10, Section 25, 1 rood 2 perches, City of Auckland—Native Church.*

The Very Reverend Father *McDonald* states: I know the property in question, which has been sold under the authority of "The Roman Catholic Endowments Sales Act, 1858," and the moneys invested in accordance with the requirements of the Act. In this I speak to the best of my knowledge. I have already stated that the building erected on lot 15 of section 8 of the suburbs was not a church. A church might probably have been erected here, but that one had been recently built very near that site, which was considered sufficient. I will ascertain, if possible, the amount realized by the sale of the property in Nelson Street, and the nature of its appropriation. The allotment was sold to Mr. Samuel Cochrane. I think only the Bishop could give this information positively.

Mr. *Samuel Cochrane*, having been duly sworn, states: My name is Samuel Cochrane. I reside in Auckland, and am an auctioneer. I have not been able to find the account sales for the property at the corner of Wyndham and Nelson Streets, sold by order of the Roman Catholic Bishop in the year 1859, which I was employed by him to sell, but I find, from the butt of my cheque-book (produced), that the whole sum then paid by me to Bishop Pompallier was £156 0s. 3d. I had no other property of his to sell at the time.

*Lot 19a, Section 25, 2 roods, City of Auckland—School.*

The Very Reverend Father *McDonald* states: I know the above-named property, on which stand the buildings known as St. Patrick's Schools. They are built substantially, and have an average attendance of about forty scholars, all boys. They were erected about seventeen years ago. The attendance has greatly diminished, in consequence of the removal of many families to the Thames. The school is in the charge of a certificated teacher, and is well furnished with all appliances, such as maps, &c., which are kept in excellent order. The withdrawal of Government allowance has materially crippled this school, as well as all others, but it is still in operation. There is a dwelling-house there also, partly occupied by the teacher, partly for the accommodation of the clergy from the out-stations visiting Auckland. There is also a building formerly occupied as a select school (called St. Francis de Sales), now given up, and now used as a reading-room and library. There was not a sufficiency of support from the population to maintain the select school. All the common schools are, however, maintained.

I wish to add that I believe the Natives would generally greatly regret to see the College at the North Shore finally abandoned; also, that the schools conducted by the Sisters of Mercy gave instruction of a very superior class. The same rule as to the free admission of all scholars, without distinction, applies to all our schools which has been already referred to in the case of that of the Sisters of Mercy.

I am not aware of any grants of public money, other than capitation money, made to any of the schools, except that of the North Shore.

There are no conveyances of any of these properties in trust to any bodies of trustees. All these vest in the Bishop, with the exception of the property in Nelson Street, sold to Mr. Cochrane, and the land at the North Shore, conveyed, as above stated, to Mr. Chamberlin and Mr. Swanson.

I take this opportunity of expressing my gratitude, in the absence of the Bishop and the Vicar-General, to the Government for the assistance and encouragement that they have always given to the cause of education, and an earnest wish that institutions of such importance may continue to experience that assistance.

TUESDAY, 30TH MARCH, 1869.

Present: Mr. Hart and Mr. Gisborne.

*Lot 1, Section 14, 1 acre, Onehunga—Church Site.*

Rev. Father *Paul*, specially requesting to be excused from the administration of the oath, states: My name is James Paul. I reside at Onehunga, and am a Roman Catholic priest. I know the allotment on which the Roman Catholic Church at Onehunga stands, but I cannot recognize it by the numbers of the allotment and section. The plan in the record book resembles it in position. The church and schools erected on this land cost about £1,700, raised from private sources. Of this the school, a wooden building on scoria foundations, cost from £600 to £700. The church is of wood, and was built about seventeen or eighteen years back. It would accommodate about 250 persons. The schools consist of a common school, a select school, and a boarding school, all for girls. The average attendance during the past five years, about sixty to seventy, now fallen to about forty-five. The buildings are all in good repair. There is also a boys' school, with an average attendance, for the last seven years, of about fifty-five, now reduced to about twenty-five. There is also a hall used for an institute, erected, about two years back, at an expense of over £300. This sum includes voluntary labour as well as actual expenditure. The object of this building was as a reading-room and lecture-hall, in connection with a "Young Men's Society." It is essentially a Roman Catholic institution, but the schools are open to all denominations to make use of.

*Lots 1, 3, 5, 7, Section 10, Onehunga—Glebe.*

The Reverend Father *Paul* states: I know the lots occupied as the glebe, but cannot recognize the sectional numbers. These lots are fenced and occupied as a glebe.

*Lot 9, Section 10, 1 acre, Onehunga—Cemetery.*

The Reverend Father *Paul* states: This lot lies contiguous to the glebe and to the church site. It is used for the purpose of the trust, and is fenced. There is no charge made for the ground. None of these properties have at any time been leased or used otherwise than for the direct uses of the trust, so far as I am aware. I have been resident at Onehunga nearly eleven years.

*Lot 7, Section 7, 1 acre, Otahuhu—Church Site.*

The Reverend Father *O'Hara*, specially requesting to be excused from the administration of the oath, states: My name is Michael Dominic O'Hara. I am resident at Otahuhu, and am a Roman Catholic priest. I know the allotment on which the church at Otahuhu is built; it is fenced. The building of the church is of wood, and it will accommodate 300 persons comfortably. On the same acre stand also a convent and a day-school, with an attendance, during the last quarter, of twenty-eight pupils, boys and girls. It is a select school, the common school being on another site. The convent and school were built at the expense of the Sisters of Mercy, without any aid from Government. These buildings are nearly new, having been erected not more than three years back. The church is in good repair.

*Lots 8 and 10, Section 7, and Lot 9, Section 11, 4 acres, Otahuhu—Glebe.*

The Reverend Father *O'Hara* states: This land is occupied by me. No part of it is leased. It is in two portions. Three acres of it lie contiguous to the church site; the remaining one acre is on the other side of the road.

*Lot 7, Section 11, 1 acre, Otahuhu—Cemetery.*

The Reverend Father *O'Hara* states: This acre is contiguous to the separate acre of the glebe mentioned above. There is no charge made for the ground used in interments. The ground is kept in order by subscription among the congregation.

I have mentioned a common school as being on a separate site from the above. On this site is a building erected by subscription about seven years ago. It measures forty feet by eighteen feet. The attendance fluctuates much; a fair average might perhaps be stated as thirty-five. It is open to all denominations. The scholars are taught reading, writing, arithmetic, history, &c., and to the girls, needlework. Religious instruction is given to those only who belong to the Roman Catholic Church. We had a certificated schoolmaster, who was salaried under the Education Act during the time of its continuance. It is a day-school only. There is at present no inspection, but the school was open to it so long as the Education Act was in operation. All the scholars pay, except, perhaps, a few; but none are ever refused admittance on this ground. The school has been in the charge of the Sisters of Mercy since the death of the schoolmaster, which occurred just a little previous to the cessation of the Government stipend. Since they have had the charge the school has improved.

**Wesleyan Church.**

TUESDAY, 23RD MARCH, 1869.

Present:—Mr. Hart and Mr. Gisborne.

Mr. *T. Russell*, being duly sworn, states: My name is Thomas Russell. I reside at Auckland, and am a solicitor. I am one of the trustees for certain estates held on behalf of the Wesleyan Methodist Society. I can furnish the names of the several bodies of trustees in whom these and other estates of the same nature are now vested. [Published in Appendix.]

*Various Village Reserves.*

The Rev. *James Buller* was introduced and sworn: I am Superintendent of the Auckland Wesleyan Circuit, and Chairman of the District. I have been connected with this district three years, but have been conversant, from the foundation of the Colony, with the Wesleyan Religious, Charitable, and Educational Trusts in this district. (Record copies of Grants A. 49, No. 7,556, folio 212; No. 7,557, folio 213; No. 7,558, folio 214; No. 7,559, folio 215; No. 7,560, folio 216; No. 7,561, folio 217; No. 7,562, folio 218; No. 7,563, folio 219; No. 7,564, folio 220; No. 7,565, folio 221; No. 7,566, folio 222; No. 7,567, folio 223; No. 7,568, folio 224; 14r., No. 2,233, folio 89, produced.) There are on these allotments no buildings erected. They are reserves made lately (from 1865 to 1867), in anticipation of buildings being erected. The population in these districts is sparse, and there are occasional services held, either in private houses or in other places used as chapels. We have three small churches in the Whangarei District, in which Grahamstown is situated.

*Lot 27, Section 4, City of Auckland—Chapel Site.*

The Reverend *James Buller*, being duly sworn, states (Record copy, Reg. iv., No. 7, Grant of 2 roods 31 perches, allotment 27 of section 4, City of Auckland, produced): This is the site of the chapel in High Street, a brick building capable of accommodating 1,200 persons. There is a wooden edifice attached, used for long as a day-school, but now only as a Sunday-school; also a small house occupied by the chapel-keeper. The property has been conveyed to trustees by a deed, which has been registered. Public worship is regularly maintained in the chapel.

*Lot 3, Section 12, City of Auckland—Native Chapel.*

The Reverend *James Buller* states (Record copy, Reg. iv., No. 23, Grant of 2 roods 3 perches, allotment 3 of section 12, City of Auckland, produced): This is the site on which the Native chapel is built—a wooden building. Native service is occasionally held here when any Maoris are present in Auckland. An European infant school is gratuitously allowed to be held here during the week. This property is also conveyed to trustees.

*Lot 2, Section 5, Onehunga—Church Site.*

The Reverend *James Buller* states (Record copy, Reg. iv., No. 42, Grant of 1 acre, allotment 2 of section 5, Onehunga, produced): This property is occupied by the erection upon it of a wooden church, and also a minister's residence. Service is regularly held here. This site is also conveyed to trustees. Also with respect to the site at Otahuhu (Record copy, Reg. iv., No. 65, Grant of 1 acre, allotment 9 of section 8, produced): There exists a wooden church in which service is regularly held.

*Lot 20, Section 3, 6 acres 3 roods, Suburbs of Auckland—Wesleyan Native Institution.*

The Reverend *James Buller* states (Record copy, Reg. iv., No. 12, Grant of 6 acres 3 roods, allotment 20 of section 3, Suburbs of Auckland, produced): These lands are granted for the purpose of a Wesleyan Native Institution. From the date of this grant buildings have been erected on the ground, partly from moneys of the Wesleyan Mission, and partly by private contributions, for the purpose of training a number of Native youths to act as teachers to their countrymen. These buildings include a schoolroom, church, dormitories, &c., and are capable of accommodating from twenty to thirty young men. The first buildings were erected within a year from the date of the grant, and were subsequently enlarged, the last erection being that of a church for both Native and European congregations, erected in 1865.



The number of scholars, up to the year 1855, averaged about twenty in the year under daily and systematic training. Since then the number has lessened, many of them having been removed to the Three Kings, on which institution greater pains have been bestowed latterly. During the last five or six years this property has been leased, at first at a rental of £50 per annum, but now at £60. From 1860 to 1863 (to the best of my knowledge), the property does not appear to have been used for the purposes of the trust, but was merely occupied. The present lessees, who have about a year of their lease to run, are Europeans. The first lease was for four years. The present occupiers live in the buildings and farm the property. The church mentioned as the last-erected building is reserved from the lease, and is occupied by a regular service for an European congregation. The visits of Natives are now very fitful.

The proceeds of this estate were appropriated to the support of Native and Half-caste scholars at the Three Kings, while there were any. During the past year they have been appropriated to the support of certain Native Teachers in the Province of Auckland, at present three in number.

I am not aware of any public moneys having been given towards the erection of these buildings, or any of them. The church was built by voluntary contributions only. The older buildings are now rather dilapidated.

Extract from evidence of Mr. *Reader Wood*, Architect and Estate Agent, taken on the 5th April, 1869.

The following day (30th March) I visited the Wesleyan station on the Grafton Road. It consists of about six acres, let to a Mr. Burton for £60 per annum, for three years, till May, 1870. The land is of fair quality, at present principally in oats. The buildings on it consist of three small cottages and a stable, all built by Mr. Burton for his own accommodation. There is also a school-room, with apartments attached, occupied by Mr. Burton as a dwelling-house. The whole is in fair tenantable repair. The value of the last-named building is about £200.

Adjacent to the schoolroom is a chapel, fenced off from the rest of the land, at which service is held every Sunday. The buildings are not used for educational purposes at all. I understood the services of the chapel were conducted in English.

I consider the estate well let. The selling value of the estate, subject to Mr. Burton's lease, would probably be about £600, exclusive of the chapel and its site.

#### *402 acres, Aotea—School.*

The Reverend *James Buller* states (copy of Record copy, Reg. iv., A., No. 122, Grant of 402 acres, lot 1, Parish of Aotea, produced): On this estate there are erected the buildings of a school, under the direction of the Rev. C. H. Schnackenburg. There are from twenty to thirty Native and Half-caste scholars in attendance, for whom a capitation allowance is being received from the General Government. A periodical inspection is held. No part of the land is let. If any proceeds accrue they are all devoted to the support of the school. The general run of the land in the district is good. The school has been maintained ever since the date of the grant.

#### *169 acres, Kawhia—School.*

The Rev. *James Buller*, states (copy of Record copy, Reg. iv., No. 123, Grant of 169 acres, lot 1, part of Waiharakeke, at Kawhia, produced): On this estate there is a school under the same direction as the above, but under the charge of Native teachers. Capitation has been, until lately, received, if it is not to this date. No inspection has been possible for some time, owing to Native political disturbances, nor are there any proceeds beyond what Native crops may be raised on the land and consumed there. The disturbed state of the country prevents the trusts of this estate being more efficiently administered. The buildings were good, and were erected from mission funds, having been formerly the station of the Rev. J. Whiteley. I am not aware of any public moneys, other than the capitation allowance, having been granted towards this and the preceding school. I believe both this and the previous grant has been conveyed to trustees.

#### *Lot 2, Section 8, City of Auckland—Wesleyan Mission.*

The Reverend *James Buller* states (Record copy, Reg. iv., No. 16, Grant of 2 roods 20 perches, allotment 2 of section 8, City of Auckland, produced): These estates are also conveyed to trustees, and adjoin the ground given for the Native church, Reg. iv. On this land was erected a bonded store, occupied for the purposes of the Wesleyan Mission during the time when the mission vessel used to visit Auckland. The vessel ceased to run about 1856, and the shed was then used as a depot for mission stores, and for the last three years has been leased at a rental of £15 per annum, which sum is devoted to the Native mission. There is also, on part of the land not leased, a dwelling-house erected for a minister, who performs service in the church adjoining when there is any Native congregation. I think the duration of the lease is for seven years. The minister for whom the house was built has been, for about nine months past, resident not here but at the Three Kings. His services are, however, always available for the performance of divine service when required. The house is now let, the rental paying the interest of the debt standing on it. There is at present a debt of £400 on the aforesaid minister's residence.

On Monday, the 5th April, Mr. *Buller* desired to amend that portion of his evidence which stated that his house was on the Store Grant, having been subsequently informed that it stands on the Native Chapel Grant.

#### *824 acres 1 rood 24 perches, Suburbs of Auckland—Three Kings School.*

The Reverend *James Buller* states (Record copy, Reg. iv., Nos. 14, 31, 36, 64, and 79, in all 824 acres 1 rood 24 perches; Nos. 86 to 92, suburban farms; lots 93, 118, 119, 122, and 124 of section



10; lot 14 of section 13, Waitemata, suburbs of Auckland; and section 87, Titirangi, lands of the Three Kings Native Institution and Industrial School, produced): These are mostly contiguous suburban allotments, but the one large block of 527 acres near Manukau Heads (called by the name of Waikowai), of forest and swamp, containing only a few acres of available land, lies at a distance of four or five miles from the remainder. These suburban lands are known as the Three Kings. The outlying block is valuable only for firewood and pipis, on which the Natives then fed largely.

The first of these grants was made by Captain Fitzroy, for the objects of a "Wesleyan Native Institution," on 1st April, 1845. On this site the buildings of the Three Kings School were erected, being commenced in the year in which the grant bears date. The Native school existed at the date of the second grant by Governor Sir G. Grey, on 31st August, 1850, and the subsequent grants of 15th October, 1850, 19th June, 1852, and 22nd June, 1854, for the purposes of a "Wesleyan Industrial School," for the education of children of both races, and for the education and maintenance of destitute or poor persons, inhabitants of the islands of the Pacific Ocean.

There were considerable sums of public money given from time to time by Sir G. Grey, probably to the amount of (speaking from recollection) £4,000, and probably an equal amount of mission money has also been expended on this estate in building, &c. These sums do not include the capitation allowance for scholars.

The first buildings erected were a dwelling-house for the master and dormitories for the scholars. These were plain buildings of scoria, and are now occupied as farm buildings. Subsequently a wooden residence for the master, a very commodious range of edifices of wood on a stone foundation, and a large range of premises, kitchen, dormitories, &c., capable of accommodating at least eighty children, have been built. A further large outlay has been incurred in fencing, draining, and other farming operations. All these tenements, excepting the earliest erected, are still in good and serviceable repair.

From 1845 up to 1863, there was maintained a Principal in charge of the institution, who was an ordained minister, supported entirely by church funds, and devoted exclusively to this object. Under his direction were a farm overseer, for many years a carpenter, to instruct the boys, a matron, and one or more teachers. Up to the year 1863, there always were a large number of Maori children and youths, also many Half-castes of both sexes, probably averaging from thirty to eighty, boarded, instructed, and regularly trained to industrial pursuits. The school was periodically inspected by the Government. The English language was always and regularly taught in the school, as evidenced by the use of Nelson's School Books, and the Irish National School Books.

The industrial training consisted of sewing and washing in the girls' department; farming, gardening, stock-breeding, carpentering, &c., in the boys' school.

The farming department was always kept separate, as a matter of account, from the school. Up to the year 1863, all the proceeds of the farm were devoted to the support of the school, as only a few children (Half-castes) were paid for by their parents, and the board and education of all the others (exclusive of the capitation allowance) was gratuitous. This refers to the farm accounts from the time of the employment of a farming overseer.

About the year 1863, owing to renewal of Native war, the Maori scholars mostly left, so that the number remaining was reduced to four or five; but we retained a number of Half-castes, from twenty to thirty, to within one year from the present date. At that time the capitation grant from the General Government was withdrawn, and we were able to retain only a few of the number, and there are now, I believe, four or five of them. About 1862 or 1863 a stipulation was made by the Auckland Provincial Government to receive into the institution, by their order, a number of destitute European children (commonly called "City Arabs"). For these we were to receive from the Provincial Treasury the same capitation—viz., £10 per annum—as we had received from the General Government for Maoris and Half-castes. We have at this time more than twenty of these children, besides the few Half-castes above referred to. They have averaged yearly about twenty-five, but for the last nine months we have been receiving only one-half of the stipulated amount per child, i.e., at the rate of £5 each per annum, and on this account, together with the fall in the value of farm produce, we have incurred a considerable debt.

When we ceased to have a regular minister in charge of the institution (i.e., about 1863, I believe) it was placed under a trained schoolmaster, whose salary was provided out of the school fund, which includes the proceeds of the farm, the rent of the land on the Grafton Road, and the capitation money.

On 1st October, 1868, the farm was let on lease for the sum of £250 per annum for a period of ten years, reserving for the purposes of the institution the school buildings, garden, and wood and water rights, &c. The extent of land let is between 500 and 600 acres. Only one quarter's rent has yet been paid. The proceeds are all devoted to the support of the institution.

We have received nothing for Half-caste children (except for one or two only) beyond the Government capitation allowance, which also has now ceased to be paid. The sum of £10 per head did not cover the cost of maintenance of the European destitute children, which amounted to about £15 per head per annum. The balance was made good out of the school fund already referred to. That contribution having now been reduced by one-half, debt has been in consequence incurred. No arrangements have yet been made for the liquidation of that debt. Last September the mission stock then on the estate were sold, and a debt of £200 then standing was paid off, but subsequently further debt has been incurred amounting to about £50.

The trained schoolmaster who succeeded the resident minister was discontinued soon after the cessation of the capitation. His services (formerly paid first at the rate of £200 and then at the rate of £150 out of the institution funds) were discontinued in June, 1868. Since that date the institution has been under the direction of one of our ministers, receiving nothing from the school fund, with a female teacher and a matron, paid respectively £50 and £30 per annum out of the school funds.

At present the deficiency in the funds amounts to from £20 to £25 per quarter. If the full amount of the allowance stipulated with the Provincial Government were paid, the school funds would then be about sufficient to supplement this deficiency, under the present arrangements, by which the manager draws no salary from the institution. The last inspection of the school was by Mr. Taylor, about twelve months ago. The estate has been conveyed to a Board of Trustees. The management is vested in a Board of Management appointed from year to year by the Conference, and including some of the trustees.

Mr. *John Williamson*, being duly sworn, states: My name is John Williamson, and I am the Superintendent of the Province of Auckland. I am one of the trustees of the property known as the Three Kings, and I have a general acquaintance with the history of the institution maintained there.

I have heard the evidence of Mr. Buller, that there are "more than twenty destitute European children" received into the institution at the instance of the Provincial Government, in respect of whom a capitation allowance of £10 was made, subsequently reduced to £5, in addition to some four or five Half-caste children, in respect of whom no Government allowance is made. I have also heard him state that at present, partly in consequence of that reduction, there is a quarterly deficiency; but I cannot state whether it will be within the power of the Provincial Government to make any additional payments upon this head. The report of the Committee of the Provincial Council of last Session was unfavourable in respect of two of the four institutions which came under their notice, one of which two was that at St. Stephen's. The Government much regretted the necessity under which they were placed, for financial reasons, of reducing the allowance made to them. The future action of the Provincial Government, as to these contributions, is still under their consideration. The amount at the disposal of the Provincial Government will, I think, be sufficient to pay, at the full original sum, to the two institutions favourably reported on. The amount of contribution to the two institutions not favourably reported on, viz., St. Stephen's, and St. Mary's, North Shore, is yet under consideration. There is, at present, no Provincial inspection of these schools, but the relieving officer of the Province had instructions to examine them before he gave evidence before the Committee of the Provincial Council, but his inquiry extended only to the general management and conduct of the schools, and did not include the question of education. There is a general stipulation in reference to the destitute children placed at these schools, that they shall be educated as well as maintained. The inspection of the General Government Inspector did include the management of the European destitute children. In saying there is no Provincial inspection, I do not speak of inquiry in any cases of complaint. When such occur, inquiries have been always made.

Extract from evidence of the Rev. *James Buller*, taken on 31st March, 1869.

I have no records from which I could furnish any accurate statement of grants of public money made to this institution since its foundation. I will give a rough estimate of these amounts, and of the mode in which they have been expended. I will also give a return of receipts and expenditure of the institution for the last three years, being the time during which it has been in my charge.

I have now read the 7th paragraph of the report of the Committee of the Auckland Provincial Council, in last Session, on certain endowed institutions. The lease of part of the Three Kings estate is for ten years, and not, as there stated, for twenty-one years. I have not previously seen the report in question. I arrived in Auckland in June, 1866, from the South, and, in consequence of the unsatisfactory state of the school, the then present staff were immediately displaced, and Mr. Arthur was placed in charge. He had been there about six months when Mr. Rolleston inspected the school, and furnished a report, to which I felt myself obliged to demur, and in consequence of that a second inspection, the report of which was favourable, was held by Mr. Taylor about June following. Mr. Arthur was there for two years, till June, 1868, when Mr. Wallis went to reside there. The reason for this change was solely financial. Miss Black was appointed matron in the early part of 1867. I have read the statement that £100 a year is claimed by me on account of the mission, as interest on advances made to the institution. I was not examined before that Committee, being at the time absent in Sydney. The debt to which reference is made consists of the advances of mission money, as recorded in my former evidence before the present Commissioners. I would explain that the term "mission" was formerly understood to include all our clerical operations in New Zealand, but for some years past we have made a distinction between the English department and the Maori stations. The term "mission" is now understood to refer only to the latter. In October last, when the estate was leased to its present occupant, I felt it my duty, as the official representative of the Missionary Society, to prefer, in the Board meeting, some claim on behalf of our missionary work, in consideration of the sums of money heretofore expended by the Society on the Three Kings institution, and the more particularly, inasmuch as the annual grant from the Missionary Society for the support of our Maori mission was being yearly reduced, and is to cease altogether in 1870. The Board of Management were of opinion that a portion of the rent, say £100, should be so devoted; but not having themselves any power thus to appropriate the revenue of the estate, it was left for the decision of the Trustees, who have not since that time had a meeting. We estimate that not less than £4,000 had been expended on the estate by the Mission. This annual payment of £100 was not supposed to be in liquidation of that debt. The £4,000 includes everything that was spent upon the estate by the Mission, and I think the Mission has a fair ground of claim on this ground against the estate.

The annual grant by the society to the New Zealand Mission is a gross sum, and is appropriated by the annual district meeting, composed of the ministers of the district and of lay representatives. All sums expended by the Mission in support of the Three Kings institution I consider in the light of advances, and that, equitably, they should be recouped to the Mission. Private and voluntary

subscriptions in support of the institution have been received, not, I should think, in any year exceeding £10, nor do I think that the contributions from scholars or their parents in any year exceeded £20. The salaries of the Wesleyan ministers from time to time in charge of the institution are included in my estimate of £4,000. I will furnish a statement of the items of which this amount was made up. Only one quarter's rent has yet been paid by Captain Machell: another is nearly due. This £100 per annum is not intended to be accounted for to the Wesleyan body in England, it is purely an internal arrangement within the Colony. It is proposed to be devoted to the support of the four missionaries maintained in purely Native districts. These are New Plymouth, Raglan, Kaipara, and Hokianga. In the case of the other trust estates to which I have referred, at Aotea and elsewhere, no claim is due analogous to that against the Three Kings estate.

*NOTE.—The remainder of Mr. Buller's evidence is published with the evidence on the estates to which it respectively relates.*

The Rev. J. Wallis, being duly sworn, states: My name is James Wallis. I reside at the Three Kings institution, and am a Wesleyan minister and Superintendent of the institution. I have been eight months in that capacity. During that period there have been twenty-seven children continuously resident there. The staff consists of myself as superintendent, two female teachers, and a matron. The children vary in age from three to nine years. One Native boy is about twelve or thirteen years old. There are sixteen boys and eleven girls, to the best of my recollection. The education given to the boys and girls is elementary, including spelling, reading, writing, and arithmetic: it is in the English language. Irrespective of the revenue, if any, accruing from the trust, the children were supported by the allowance of £5 per head, by the Provincial Government, for nineteen of the twenty-seven children. The General Government capitation allowance had been discontinued just before I went to the institution. I know the land at Waikowhai. The chief portion of it is worthless. There is a part, about ten acres in extent (which was cultivated by the Natives, but not since the commencement of the war), which is of good quality; the rest is white clay, of a character similar to that of much of the ground near Auckland. The only benefit the institution derives from the estate at Waikowhai is the firewood cut upon it.

The General Government do not at present contribute anything towards the maintenance of the children in the institution. The Provincial Government pay, as above stated, £5 per head for nineteen. The whole income of the school is not, I consider, sufficient to keep the children as they ought to be kept. One of the Half-castes is paid for, and others are leaving, being removed by their friends at the end of this quarter. In fact, the school will be closed then (that is, to-day), when the remainder, sixteen or seventeen, will be sent in to Auckland.

One quarter's rent having been since received from Captain Machell, the advances from the bank, referred to in my evidence before the Committee of the Provincial Council, have been repaid. The sole revenue of the institution was Captain Machell's rent of £250 per annum, the capitation allowance from the Provincial Government at £5 per head, and the labour of the Native lad, which was considered to be an equivalent for his keep. The income above named was not sufficient to keep the children properly clothed and fed. This could not be properly done at a less sum than £17 per head. This is on the supposition that the number was as above named, viz., twenty-seven. If the number were larger, say fifty, the cost per head would be a little less. Out of the revenue accruing—which would have allowed about £14 10s. per head for the maintenance of the children—there was, as already stated, a deduction to be made of £100, as interest on advances made to the institution.

Since I went there the salaries have been much reduced. They were a very large proportion of the expenses. The superintendent had £200,—reduced to £150.

The present claim of £100 per annum arises partly from the accumulated charge of the salary of the superintendent. He was an ordained minister from England.

The buildings consist—1st. Of one large erection, about ninety feet by thirty feet (not in a very good state, but now requiring shingling and other repairs), containing kitchen, dormitories, dining-room, bathroom, washhouse, and storerooms. The foundation is stone. I cannot state the amount of the insurance. 2. A schoolhouse about sixty feet by thirty feet. 3. A dwelling-house, containing seven rooms—these edifices are also of wood. 4. A smaller house (perhaps with five rooms), occupied by the farmer, of stone. This is now in the occupancy of the present tenant. These wooden buildings replaced the original stone buildings, now dilapidated, which are now occupied as stables, &c., by the tenant. I understand that the tenant of the farm is bound to maintain the buildings of which he has the occupation. I am not aware whether any efforts have been made to supplement the income of the institution by voluntary contributions.

I am intending myself to remove to Onehunga, about three miles distant, and shall occasionally look at the premises, say twice or thrice a week. No one will be at present resident there, but it is proposed, if a suitable person can be obtained for the purpose, to place one there to look after the premises. The institution must have been closed before this if I had not taken the superintendence of it gratuitously.

Mr. R. B. Lusk—(Saturday, 3rd April, 1869),—being duly sworn, states: On the first of this month fifteen children were sent in from the Three Kings institution, that school having been closed the previous day. The managers had previously given notice that, if not removed by the Provincial Government, they would be sent to the Superintendent's office. The children were admitted into the Orphan Home at Parnell on the joint authority of Archdeacon Lloyd and myself. They were inspected by Dr. Goldsboro, who can give evidence of the condition in which they were received. We were applied to by Mr. King, the Relieving Officer, to know whether they could be received temporarily into the Orphan Home, so that the Provincial Government might know what to resolve upon in respect of them.

*NOTE.—The remainder of Mr. Lusk's evidence is published with the evidence on the estates to which it respectively relates.*

Mr. *J. King*, being duly sworn, states: My name is John King. I reside in Auckland, and am Provincial relieving officer. On the afternoon of the first of the present month, and in consequence of information I received, I took charge at the Superintendent's office, on the first of the current month, of fifteen children, lately at the Three Kings Native institution. They were brought in by a conveyance, in charge of the driver of it, who handed me a letter addressed to me, and in the handwriting of the superintendent of the institution, the Rev. J. Wallis. This letter was drawing my attention to a resolution, passed by the Board of Management about six days previously, to the effect that it was necessary to terminate the arrangement with the Provincial Government, and to send the children away at the termination of the quarter. I can produce the original of that letter, of which I have here a copy. There had previously been intimation given of such an intention. Complaints had been made that the allowance made was not sufficient to support the children.

On the arrival of these children at the Superintendent's office I took charge of them, their names being specified in Mr. Wallis's letter, and, according to previous arrangement, I took them to the Orphan Home at Parnell, where I gave them in charge of the matron, to whom I exhibited a written authority for their admission from the Venerable Archdeacon Lloyd. I examined the state of their heads myself, in the presence of the matron. I found them clean. They did not undergo any further examination while I remained, or in my presence. They appeared healthy, and only one of them seemed to be affected with whooping-cough. The matron's name is Miss Emerson.

The Provincial allowance had been reduced from £10 to £5; but the Orphan Home is at present receiving, and has always received, from £8 to £9 per head for the children received into it. On the 21st February, 1868, a circular was forwarded from the Superintendent's office, stating that the capitation allowance would be reduced from £10 to £5 in the case of the Three Kings, the Orphan Home at Parnell, the Sisters of Mercy's School, and St. Mary's College, North Shore. Subsequently to the issue of that circular, His Honour informed me that he had received communications from most of the gentlemen written to, complaining of the insufficiency of the capitation grant, and asked me if I could suggest any way of assisting him. I suggested that he might empower me to certify for the allowance for children who might leave the institutions before ten years of age. Many were placed out in consequence, but the money allowed accordingly. In consequence, the average actually paid was higher than the £5 per head, there being allowance paid for more children than were actually in the establishment.

During the three quarters ending 31st December, 1868, the number so certified for at the Orphan Home would be about twelve quarterly; at the Three Kings school, about six; at the North Shore school, about seven; at the Sisters of Mercy's school, about three.

In all such cases children so placed out were provided with situations by the managers of the respective institutions, except in one or two instances, when they were sent to their surviving parents. Under this arrangement the average payment actually made was,—to the Orphan Home, from £8 to £9; Sisters of Mercy, about £5 10s.; Three Kings, £6 10s.; St. Mary's, North Shore, from £9 to £10 at least. The children at present in the respective establishments, under ten years of age, are,—at the Orphan Home, about fifty; Sisters of Mercy, forty-two; and at Three Kings there were nineteen, certified for twenty-four. This last was for the quarter ending 31st December, 1868.

I visited the institution at the Three Kings about two months back, and found the children clean and tidy, and apparently healthy; also improved in their education.

In reference to what I have stated respecting the allowance of capitation for children under ten years of age who had left the institution, it would not be continued after the child attained that age.

I hand in copies of the correspondence which has passed between myself and the Provincial Government and other parties in reference to the allowance of capitation to the several institutions. Early in the month of March last I recommended an increased capitation allowance to the Orphan Home at Parnell, and the Orphanage of the Sisters of Mercy, to £10 per head per annum; but I stated that I could not recommend any such addition to the then present allowance towards the maintenance or education of the children at the Three Kings or at St. Mary's school, North Shore. My reason for the distinction so made was that the former two were unendowed, and the latter two held large endowments of land. In so speaking I had referred to the acreage of the lands granted to them.

Dr. *C. F. Goldsbro*,\* being duly sworn, states: My name is Charles Field Goldsbro. I am resident at Parnell, and am a doctor of medicine, and a member of the Royal College of Physicians. I have been honorary medical officer to the Orphan Home at Parnell for nearly five years. My attention was drawn, on the 2nd April of this year, to certain children who had been lately admitted into the Home. They were fifteen in number. These had been admitted the day previously, and no others had been so admitted, to the best of my belief, since my last previous visit. I had not examined these fifteen children before admission, but I did so on the morning of the 2nd April. I found that, of the fifteen, thirteen had the itch, some of them very badly; and six had, in addition, scab disease. In my opinion, such diseases are communicable from one patient to another by contagion, but are greatly fostered by want of cleanliness and of attention. Before receiving the summons to attend the present Commission, I had already despatched a written protest against the admission of these children without my previous inspection. This protest was addressed to the Board of Management.

In my opinion, these children could not have been in the state in which I found them without the knowledge of the persons in whose care they were, because, in some cases, the disease was in

\* The Rev. Mr. Buller perused the preceding evidence of Mr. Lusk and Mr. King, and was present when Dr. Goldsbro was examined.

a state of great virulence, and in other cases had passed that stage and was dying out; it must therefore have been of considerable standing. The existence of these diseases does not necessarily imply any appearance of debility. If one child had been previously diseased it might have communicated the disease to all the others. Previous to the inspection now exercised at admission, we had cases, in the Orphan Home, of these skin diseases, but never to the same proportion.

Of the elder children, one, a girl called Rachael Bartelman, was clean and tidy, and was one of the two who were not diseased; but, generally, the skins of the children were not so clear as they should have been.

In an institution where there is not regular medical inspection, it is very possible that itch may spread to a great extent, without any particular want of care being proved thereby, because it is mostly troublesome at night, when the children are less under supervision, being in bed.

The clothes were in some cases scanty, and not very particularly clean, but this does not imply much, considering that children dirty their linen very fast.

If I had seen them before admission, I should have refused them, as we have no sufficient means of isolation at the Orphan Home, and it is directly against one of our rules. They should have been otherwise disposed of temporarily, until they were in a fair condition to be taken in.

I have never seen the Three Kings institution. I think it very probable that these diseases might have been imported into that institution by diseased children admitted there, where, I am informed, there was no previous medical inspection. A single child so affected might communicate the disease through a whole school. Even then, however, if sufficient care had been taken in washing the children the existence of the disease must have been observed. I specially refer to the case of a Half-caste girl called Mary Jones, who was very much diseased. Under the most favourable circumstances, it is possible that itch could be cured in three days.

I also attend the Maori Orphanage of the Sisters of Mercy at Freeman's Bay. There has been no case of skin disease in that establishment brought under my notice. There are only a few girls there, perhaps not over twelve in all. The Superioress is very careful, and I do not think that these diseases would exist there without its coming under my knowledge.

Extract from evidence of Mr. *Reader Wood*, Architect and Estate Agent, taken on 5th April, 1869.

Mr. *R. G. Wood*, being duly sworn, states: My name is Reader Gilson Wood. I reside in Auckland, and am an architect and estate agent and sharebroker. In compliance with a letter addressed to me by the present Commissioners, I made a professional visit of inspection to the three institutions specified in that letter. I proceeded first to visit the Three Kings, on the 29th March ultimo. The endowment consists of about 500 acres of land,\* all fenced; about 100 acres are in very excellent grass. There are two enclosures of arable land, recently cropped with potatoes, and the rest is uncultivated. The whole property is let to Captain Machell for 10s. per acre, for, I think, seven or ten years, very recently. The buildings consist of—

1. A house occupied by Captain Machell as his private residence. It is built partly of stone and partly of wood, the latter portion being put up by the present tenant very lately, the value of this addition being from £50 to £60. The whole is in fair tenantable repair. In estimating the value of the buildings on these estates generally, I have proceeded on the principle of estimating their value for the purposes for which they were built; their mere selling value would be materially less. With the above explanation, I estimate the house now under mention is worth about £150.

2. A dwelling-house of two stories, containing eight rooms, built of timber, in the occupation of the Rev. James Wallis, Wesleyan minister. The house is well and substantially built, and well finished inside, but is in want of painting and re-shingling. I value it at £250.

3. A large building, consisting of a dining-room, thirty-five feet by twenty-five feet, dormitories, kitchens, matron's apartments, mangling-rooms, and store-rooms. The dormitories are large and roomy, and were very clean. The roof requires shingling, and the outside painting, otherwise the building is in fair tenantable repair. The value I estimate at £500.

4. A building called the schoolroom, sixty-three feet by thirty-six feet, well and substantially built on scoria foundations, timber walls, and roof covered with corrugated iron. It is in fair repair, and worth about £350.

5. A large scoria building, called the "old college," now used by Captain Machell as a stable, cowhouse, and carthouse. It is in a very dilapidated condition, but is worth to the estate, say, about £100 as farm buildings. It would not be worth repairing for the use of the school.

I think the terms of the lease are low, but the tenant is a good one; and, under all the circumstances, I think that a better bargain might very probably not have been made of it.

The selling value of the whole estate at the present time, subject to Machell's lease, might be about £4,000; but it would not be easy to find a purchaser for it, as encumbered with that lease.

There is accommodation for a considerable number of children, say 100 to 150. At the date of my inspection there were twenty-seven children, girls and boys—one Native, five Half-castes, and twenty-one Europeans. The children were taught by Mr. Wallis's daughters. They were all young, some only four or five years old, and all under ten years. The sleeping accommodation is very good, single iron bedsteads for each child and the whole exceedingly clean. I heard perhaps half-a-dozen of the children read, and they read as well as children of their age could be expected to do. The management seemed creditable to those in charge. They wore no shoes or stockings, but were sufficiently well clad.

NOTE.—The remainder of Mr. Wood's evidence is published with the evidence on the estates to which it respectively relates.

\* This refers to the land immediately around the school.

WEDNESDAY, 31ST MARCH, 1869.

The Rev. *J. Buller*, being re-called, and having been previously duly sworn, states: I know the allotment No. 12 of section 7, City of Auckland. This property was occupied as the residence of the Superintendent of the Wesleyan Mission. The allotments 11 and 10 of the same section were purchased about the same time as the free grant was made. This purchase was made originally by Mr. Lawry, from private means, and the land was transferred by him to the Society. The whole property was afterwards sold under "The Religious, Charitable, and Education Trusts Act, 1856," for a sum of about £3,000. The sale was in or about the year 1857. The proceeds were applied partly to the purchase of other land, and partly in other purposes for the uses of the Auckland circuit. The portion applied to the purchase of other land (one-third of the whole) would fully represent the proportion of the free grant to Mr. Lawry's purchase. I think I might state that the whole balance of the proceeds of the sale was spent upon the building of chapels and residences, but I cannot be certain of this.

---

### Presbyterian Church.

THURSDAY, 1ST APRIL, 1869.

Present: Mr. Hart and Mr. Heale.

*Lot 1, Section 9, City of Auckland—Church Site.*

The Rev. *D. Bruce*, being duly sworn, states: My name is David Bruce. I reside in Auckland, and I am a clergyman of the Presbyterian Church of New Zealand, having charge of St. Andrew's church.

There is no difference between the principles of the Free Church of Scotland and those of the congregation in Auckland, of which I am the minister.

Mr. Robert Graham is the only one of the original trustees now remaining in the Colony; the remainder of them are either dead or have removed from New Zealand. The appointment of new trustees has been proposed, but nothing has yet been done. The question, with some others, has stood over, pending the drafting of a Model Deed. The Presbyterian Church of New Zealand truly represents all sections of the Presbyterian Church in Scotland. The different bodies in Scotland were consulted, and signified their approval of the union effected in the Colony.

I know the allotment 1 of section 9 in the City of Auckland. (Record copy, Reg. iv., 22, Grant of 2 roods 6 perches, allotment No. 1 of section 9, City of Auckland, produced.) The ground is occupied by a church capable of accommodating from 600 to 700 people. A small portion of this allotment (on which no other building is erected) has been added the playground of the schools adjoining, and a portion of the school-ground referred to afterwards was set apart for a manse site. I cannot state the cost of the building with complete accuracy, but I think it amounted to about the sum of £4,000. The building is of stone, plastered inside, and roofed with slate.

*Lots 4, 5, and 6, Section 9, City of Auckland—School.*

The Rev. *D. Bruce* states (Record copy, Reg. iv., No. 29, Grant of 2 roods 18 perches, allotments Nos. 4, 5, and 6 of section 9, City of Auckland, produced): The trustees at present in office in reference to the school site are as follows:—Rev. David Bruce, minister; Archibald Clark, Alexander Dingwall, Robert Whitson, Thomas Macfarlane, Walter Grahame, Henry Gilfillan, George Sibbin, and James Smart, elders; James Hunter Crawford, Charles Alexander, Thomas Peacock, and Farquhar McRae, deacons.

The site at present in question is now occupied as the school site. The buildings of the school stand on allotment No. 6. The manse stands on the portion of the ground fronting Wynyard Street. The school cost about £500, and the manse about £1,000. Two separate accounts are kept in respect of this property, a ground rent of £20 per annum being paid by the manse and church account to the school account. It is probable that the site may be, at some future time, more useful for other purposes than for a school site, as this portion of the city is not likely to be at any time densely populated. The exchange of portions of the site already mentioned was taken into consideration in fixing the amount of the ground-rent.

The school-buildings are of wood, plastered and shingled. On the scale of education hitherto aimed at, which is of a superior class, they will accommodate about 150 pupils. The premises are at present occupied by the High School, an institution not strictly connected with our congregation, but the use of the premises is given to it in consideration of its public utility. The class of education is that of the ordinary grammar schools of the old country. We do not take boys into this school for elementary instruction. Boys seldom remain beyond the age of fifteen years: some few stay till they attain seventeen.

The average attendance for the two years last past has not been so high: between seventy and eighty last year, it has risen this present year to perhaps ninety. The school at present is maintained exclusively from its own proceeds. A guarantee was given by myself and some others, at the commencement, in order to obtain the services of highly qualified teachers; and since the first year, at least, the school has been self-supporting. There is no assistance given by the Provincial Government.

It was understood that the grant was desired to conduce towards the establishment of a school of a higher class, but we have not neglected the claims of common schools. The site in Symonds Street is not well adapted to such establishments, owing to the small population of the immediate neighbourhood. Schools of a more popular character have been established in Hobson Street, which is now attached to the congregation of St. James's church; also in Parnell, at Newmarket, and in the Kyber Pass Road, which are still in connection with St. Andrew's church. These latter



schools are, to a certain extent, tributary to the higher school. All these schools are open to all scholars on payment of the customary fees. There is no regular system by which the children of such as cannot afford to pay may be admitted, but any case brought under our notice would be considered on its merits.

The attendance at the common schools has fluctuated much. The changes of the teachers have been disadvantageous to the attendance. Taking an average of years, the attendance may have been thirty at each. At these common schools the teachers were in receipt of the Government allowance until it was withdrawn by the cessation of the Act. We did not require the teachers to place themselves under the operation of the Act, as this would have been to their own loss; but as a rule they always were under the Act. The High School would have been also open to inspection, if at any time it were requested, though, as before stated, it did not receive any grant.

Under the present system, I think that the common schools, in their unassisted state, are not likely to be able, from the school fees alone, to secure the services of the more efficient teachers permanently. These will always have the temptation of removing to schools in other districts, in this or other provinces, that could afford a higher scale of remuneration.

### Baptist Church.

THURSDAY, 1ST APRIL, 1869.

Present: Mr. Hart and Mr. Heale.

*Lot No. 388, Grahamstown, Lot No. 7, Section 14, Raglan—Baptist Congregational Church Sites.*

The Rev. P. H. Cornford, being duly sworn, states: My name is Philip Henry Cornford. I reside in Wellesley Street, Auckland, and I am a minister of the Particular Baptist congregation. (Record copies, A. 49, 7,496, Grant of 2 roods 35 perches, allotment No. 388, Grahamstown, and of A. 49, 7,549, Grant of 2 roods, allotment No. 7 of section 14, Raglan, produced.) No action has been as yet taken in respect of either of these allotments. They are sites selected in anticipation of population gathering at these localities, which expectation has not yet been fulfilled. Our congregation is small, and nothing has been done by us, as distinguished from other religious bodies, in reference to education, excepting the maintenance of our Sunday-schools.

### Primitive Methodist Church.

*Lots 3, 4, and 4a, Section 36, City of Auckland.*

Mr. J. Probert, being duly sworn, states: My name is John Probert. I reside at Newton, in the suburbs of Auckland, and am a settler. (Record copy, Reg. iv., No. 34, Grant of 1 rood 4 perches, allotments 3, 4, and 4a of section 36, City of Auckland, produced.) I know the allotments in Edwardes' Street on which the Primitive Methodist chapel stands, but I cannot identify the sectional numbers. The chapel is of wood, wainscotted, and plastered inside: it will probably contain about 300 persons. Divine worship is regularly performed in it.

There is also a school built on the ground. The erection is of wood, a tolerably commodious building, but I cannot give any information as to the attendance there, nor do I know the name of the master. The present minister of our congregation is Mr. Dean, resident at the top of Beresford Street. I have for some time ceased to act as a trustee. When I was last at a trustee meeting, I was the only one there except the minister. I can give no information as to whether any new trustees have been appointed. All information with respect to this point, and also to the efficiency and conduct of the school, could be procured, I have no doubt, from the Rev. Mr. Dean.

The Rev. W. J. Dean—(Saturday, 3rd April, 1869),—being duly sworn, states: My name is William John Dean. I reside in Auckland, and am the minister of the Primitive Methodist congregation in that city. I have heard the evidence of Mr. Probert read, and it is correct, except so far as concerns the accommodation that the chapel can afford. It contains sittings for 426 persons.

The chapel was erected in 1857, at an original cost of £285; debt when finished, £100; enlarged in 1860. The enlargement, with the erection of the schoolroom (about three years ago), cost £1,016. The debt at present standing is £212. The average attendance, about 250 at the present date. As far as I know, three of the original trustees are alive—Rev. R. Ward, J. Probert, and J. Harris. The others I do not know. The property is now managed by a Committee of Management, appointed by the quarterly meeting, consisting of nine members.

We have no day-school, it is only a Sunday-school which is held in the schoolroom adjoining the chapel.

We have recently put the property in a state of thorough repair, at a cost of £220 or thereabouts. The debt referred to does not affect the freehold of the property, but is only in notes of hand of members of the Committee.

### Hebrew Congregation.

THURSDAY, 1ST APRIL, 1869.

Present: Mr. Hart and Mr. Heale.

*Various Lots.*

Mr. D. Nathan, being duly sworn, states: My name is David Nathan. I reside in Auckland, and am a merchant there. I am a trustee of most of the lands granted for the use of the Beth

Israel Hebrew congregation. I believe my name is in the trust of all, except one. (Record copy, Reg. iv., No. 6, Grant of 1 acre, land adjoining City of Auckland, produced.) I am acquainted with this allotment, which is used as a cemetery, and has been so used since the year 1844. It is fenced in, and is maintained in order, out of funds subscribed, for the use of the congregation generally. There are no special fees charged.

Mr. C. Davis, being also duly sworn at the same time, corroborated the above evidence.

Mr. D. Nathan continued (Record copies of the several grants following produced : Reg. 49A, No. 7,488, 2 roods, allotment 60, Tamaterau ; Reg. 49A, No. 7,490, 2 roods, allotments 8 and 9 of section 10, Cameron ; Reg. 49A, No. 7,491, 1 rood 37 perches, allotment 150, Pahi ; Reg. 49A, No. 7,492, 2 roods, allotment 182, Grahamtown ; Reg. 49A, No. 7,493, 2 roods, allotment 78, Leigh ; Reg. 49A, No. 7,494, 2 roods, allotment 2 of section 10, Havelock ; Reg. 49A, No. 7,495, 2 roods, allotment 82, Coromandel ; Reg. 49A, No. 7,532, grant of 2 roods 12 perches ; Reg. 49A, No. 7,533, grant of 2 roods 7 perches ; Reg. 49A, No. 7,534, grant of 2 roods ; Reg. 49A, No. 7,535, grant of 2 roods ; Reg. 49A, No. 7,536, grant of 2 roods ; Reg. 49A, No. 7,537, grant of 2 roods ; Reg. 49A, No. 7,538, grant of 2 roods.) These are all reserves made in anticipation of the localities at which they are situated becoming at some future time centres of population. They are none of them in any manner occupied. The name of my co-trustee in all these grants is Philip Aaron Philips. The name as given in the grants—Aaron Philips, with the omission of the name Philip—is an error. There has been no change in the trusteeship of any of these lands, or in that of the first-named allotment.

Mr. C. Davis, having been already duly sworn, states : My name is Charles Davis. I reside in Auckland, and am a merchant. (Record copy, Reg. A. 30, No. 2,633, allotment 22 of section 9, City of Auckland, produced.) I know this allotment, which has been granted for the site of a synagogue. I believe the allotment is fenced ; instructions to that effect have been given. No other use has yet been made of the ground. We are at present waiting till we have funds in hand for the purpose of building.

Messrs. Nathan and Davis also stated that the Hebrew congregation maintained, without assistance from any public endowment, schools in connection with their own congregation. These schools are free to the children of our own people if they cannot afford payment : such as can do so, pay for their tuition. The school is under the tuition of Rev. Moses Elkin, who has had the charge for about four years. There is a fund accumulated to some small extent from the surplus of these payments beyond the necessary expenses. Mr. Elkin was engaged as minister and teacher, and is paid for his services in both capacities.

#### Miscellaneous Grants.

##### *Part of Lot 26, Section 4, City of Auckland—Temperance Hall.*

Mr. O. Lewis, being duly sworn, states : My name is Osmund Lewis. I reside in Symonds Street, Auckland, and am a gentleman. (Record copy, Reg. iv., No. 13, Grant of 1 rood 1 perch, part of allotment 26 of section 4, City of Auckland, produced.) I know the land in question. I have for the last nine years been connected with the Total Abstinence Society. Six or seven years ago I inquired from Mr. Williamson, the Superintendent, about an endowment for the furtherance of its objects. Mr. Williamson sent for Mr. Kelly, the Registrar, who produced the original grant, and I read it. I saw that it was necessary, in order to fulfil the conditions of the trust, that a hall should be erected. We have ever since been endeavouring to raise funds for this purpose ; but a larger sum would be now required than was originally contemplated, in consequence of the Building Act. The fund now in hand is about £150, which is let out at interest. It has for some time past increased very slowly, but times are now improving. I very recently collected about £20 towards it. The trustees for the land at present are James McCosh Clark and John Probert. The site is not, in my opinion, a suitable one for the purpose. Of the two original trustees, one is dead and the other has left the colony. I will furnish to the Commissioners a copy of the deed of appointment of the fresh trustees, which I now produce in the original. Some years ago an application was made by the Committee of the Mechanics' Institute to lease the land for a recreation ground, but we did not consider that our trustees had power to entertain the proposal. In order to exercise the right of ownership, we erected a fence across the ground, parting our grant from that of the Mechanics' Institute. This fence is not now standing.

##### *Lot 238, Waikomiti, 4 acres, Messrs. Kelly, Cantwell, and Co.—Place of Public Worship and School.*

Mr. William Cantwell, being duly sworn, states : My name is William Cantwell. I reside at Titirangi, otherwise called Waikomiti, and am a farmer. (Record copy of Grant A. 49, No. 7,548, Grant of 4 acres, allotment No. 238, Waikomiti, produced.) I know the land referred to in the grant in question. Nothing has been done as yet towards the improvement of the land. When the land was originally applied for, the population was much larger than at present. There were then perhaps twelve resident families in the district, with a prospect of more coming into it. There are now not more than four or five remaining. I have not joined in taking the deed from the Registry Office, but I believe it has been taken up by one of the other trustees. The district is not at present in a very flourishing condition, but it lies on the line between Auckland and Waitakerei, and may hereafter be better populated. The site might have been more central ; still, if in a central position it might not have been more convenient.

This witness applied to have his expenses allowed to him, reckoning the distance he had come at twelve miles. Allowed 10s. attendance, and 1s. 6d. per mile one way, amounting in all to the sum of £1 8s.



FRIDAY, 2ND APRIL, 1869.

Present: Mr. Hart.

*Lot 3, Mangapai, Messrs. Hunter and O'Meara—Place of Interment.*

Mr. J. O'Meara, being duly sworn, states: My name is John O'Meara, lately resident at Mangapai, but now in Auckland. I am a farmer. (Copy of Record copy, iv. A., page 51, Grant of 5 acres, part of allotment 3, Mangapai, produced.) I know the land in question; there were about ten or twelve graves in it when I left the district; it was not then fenced; it has been ploughed. The ground was divided, by a tacit consent, between the various religious communities, viz., Church of England, Wesleyans, Roman Catholics, and Presbyterians. No dividing or enclosing fences have been yet erected. The cemetery was at one time used by the inhabitants of the neighbouring parishes. The district is moderately populated—there are perhaps 150 families resident there. It is proposed to enclose the ground, that it may be kept in an ornamental state. I was myself mainly instrumental in having the present improvements effected by ploughing and levelling. More might have been done but for the pressure of the times. I wish to correct my previous statement as to the parcelling out of the ground. The Wesleyans have a separate cemetery of about 3 acres. The three grantees were especially selected as representing the different religious bodies, and also three different parts of the district.

SATURDAY, 3RD APRIL, 1869.

Present: Mr. Hart, Mr. Heale, and Mr. Gisborne.

*Hospital and Grammar School Reserves.*

Mr. R. B. Lusk, being duly sworn, states: My name is Robert Bailey Lusk. I reside in Parnell, near Auckland, and I am Provincial Accountant and Acting Treasurer. I have no control over the lands granted for the Hospital and Grammar School reserves, but the moneys received for them pass through my hands. Portions of, I believe, all the sections mentioned in the schedules to "The Auckland Hospital and Grammar School Reserves Act, 1856," either are now let or have been let and have fallen in. The letting has been by auction. The amount of rents actually received during the year ended 31st December, 1868, for the College and Grammar School reserves was £649 1s. 6d. The amount for which the reserves were let, and which they should have realized had the rents been duly paid up, was £693 7s. 6d. The sum of £6,000 is invested on mortgage, producing the sum of £600. This sum has arisen from accumulation of rents. The net revenue of the Grammar School endowment is at present about £1,200. There is in hand in the bank a sum of £1,383. An Act has been passed in the last Session of the Provincial Council for dealing with this income. The Act of the previous session authorized the appointment of trustees. Copies of these Acts could be supplied by the Clerk of the Council.

I can supply information as to the rentals accruing from the hospital reserves. On the allotment No. 41 of section 3 of the suburbs (schedule A. No. 16) are erected the buildings occupied as the hospital and the old lunatic asylum, now used as a refuge for the destitute. The amount for which the endowments were let was £411 19s.; the gross receipts of the year ending 31st December last were £372 9s. The net rental has been applied towards the support of the hospital.

I will forward to the Commissioners a statement of the rentals and periods of leases of these endowments, and of the portions of them now unproductive. It is not considered that the present time would be a favourable one for submitting the now vacant lands to auction.

(Record copy produced.) The five sections at Remuera in section 16 were let for a gross rental of £71 10s. Of this the sum of £29 is not receivable. The money has been applied to the maintenance of the common schools in the Province of Auckland. Of the lands reserved for common school endowments no others have produced any revenue except the section at Awhitu, which was let for three years, but only one year's rent was received. There are not, to my knowledge, any public buildings erected on any of these reserves, most of which are made prospectively, in the expectation of future wants.

MONDAY, 5TH APRIL, 1869.

Present: Mr. Hart, Mr. Heale, and Mr. Gisborne.

*Lot 26, Section 4, City of Auckland, Mr. Ligar and Others—Mechanics' Institute.*

Mr. Whitaker, being duly sworn, states: My name is Frederick Whitaker. I reside in Auckland, and am a barrister and solicitor of the Supreme Court, and President of the Mechanics' Institute. I know the allotment No. 26 of section 4, on part of which the Mechanics' Institute is erected. (Record copy, Reg. iv., No. 2, Grant of 1 rood 9 perches, produced.) It is a wooden building, comprising a large hall, reading-room, library, and other rooms. The Institute has been in operation, with perhaps some little intermission, over twenty years. Of the original trustees, three are, to my belief, still alive, but two of them are absent from the colony—the remaining two are dead. One only, Mr. Black, is alive and resident. There has been no new appointment of which I am aware. The grant runs to certain trustees, and to their "executors, administrators, and assigns," but no practical difficulty having yet arisen, no question has yet come up about the appointment of successors to them of which I have heard.

## APPENDIX TO EVIDENCE TAKEN AT AUCKLAND.

## No. 1.

## THREE GRANTS FOR ST. STEPHEN'S SCHOOL.

(No. 33 of Reg. No. 4.)

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting.

WHEREAS a School hath been established by the Government at Taurarua, in the suburbs of Auckland, under the superintendence of the Bishop of New Zealand, for the education of children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of the islands in the Pacific Ocean: And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the immediate neighbourhood thereof, for the use and towards the support and maintenance of the same: Now know ye, that we, of our especial grace, for us, our heirs, and successors, do hereby grant unto the said Bishop of New Zealand, and his successors, Bishops of New Zealand, all that allotment, No. twenty-three (23) of section two (2) in the suburbs of Auckland, in the Parish of Waitemata, in the County of Eden, bounded on the north and north-east by the waters of the Waitemata Harbour, on the south by a line one thousand four hundred and ninety-seven (1497) links, and on the west by No. two (2) of the same section five hundred and twelve (512) links, and by No. three (3), five hundred and sixty (560) links, and containing twelve (12) acres and one (1) rood, more or less: All those allotments being No. eighteen (18), nineteen (19), twenty (20), and twenty-one (21) of section two (2), in the suburbs of Auckland, in the Parish of Waitemata, in the County of Eden; bounded on the north by a line nine hundred and twenty (920) links, and nine hundred and sixty (960) links, on the east by the waters of the Waitemata Harbour, on the south by No. twenty-two (22), one thousand and seventy-four (1074) links, again on the east by No. twenty-two (22), seven hundred and seventy-five (775) links, and again on the south by a road eight hundred and seventy (870) links, and on the west by a line one thousand one hundred and twenty (1120) links, and containing twenty-three (23) acres and twenty-one (21) perches, more or less: All that allotment in the said section two (2) of the suburbs of Auckland, No. twenty three A (23A), being a roadway or roadways which it is desirable should be closed, leading to and from the several allotments before mentioned, having a uniform breadth of one hundred (100) links, and containing four (4) acres two (2) roods thirty (30) perches, more or less, together with the rents, issues, and proceeds thereof, to hold unto the said Bishop of New Zealand and his successors, in trust nevertheless and for the use or towards the support and maintenance of the said school, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.

In testimony whereof we have caused this our grant to be sealed with the seal of our Province of New Ulster.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor and Commander-in-Chief of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this twenty-third day of September, in the fourteenth year of our reign, and in the year of our Lord, one thousand eight hundred and fifty.

(L.S.)

G. GREY.

Entered on record this twenty-fourth day of September, 1850.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

(No. 33 of Reg. No. 4.)

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

WHEREAS a School hath been established by the Government at Taurarua, in the suburbs of Auckland, under the superintendence of the Bishop of New Zealand, for the education of the children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of the islands in the Pacific Ocean: And whereas the Government have given funds for the establishment and support of the said school, and out of the funds so given the Right Reverend Father in God George Augustus Lord Bishop of New Zealand hath paid the sum of two hundred and twenty-six pounds one shilling (£226 1s.) for the allotments or parcels of land hereinafter described: Now know ye, that for and in consideration of the sum of two hundred and twenty-six pounds one shilling (£226 1s.) so paid from the aforesaid funds by the said Bishop of New Zealand, we, for us, our heirs and successors, do hereby grant unto the said Bishop of New Zealand and his successors, Bishops of New Zealand, all those allotments or parcels of land in our Province of New Ulster, containing by admeasurement eighteen (18) acres, more or less, situated in the suburbs of Auckland, Parish of Waitemata, County of Eden, and being allotments Nos. fifteen (15), sixteen (16), and seventeen (17) of section No. two (2), bounded on the north by lot twenty-three (23) of the same section seven hundred and forty-seven (747) links, on the east by the waters of the Waitemata Harbour, on the south by a road nine hundred and eighty (980) links, and nine hundred and twenty (920) links, and on the west by a road one thousand three hundred and eighty (1,380) links, together with the rents, issues, and proceeds thereof, to hold unto the said Bishop of New Zealand and his successors, in trust nevertheless and for the use or towards the support and maintenance of the said school, so long as religious education, industrial

*training, and instruction in the English language shall be given to youth educated therein or maintained thereat.*

In testimony whereof we have caused this our grant to be sealed with the seal of our said Province.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor and Commander-in-Chief of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this twenty-third day of September, in the fourteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty.

(L.S.)

G. GREY.

Entered on record this twenty-fourth day of September, 1850.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

(No. 48 of Reg. No. 4.)

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

*WHEREAS a School hath been established by the Government at Taurarua, in the suburbs of Auckland, under the superintendence of the Bishop of New Zealand, for the education of the children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of the islands in the Pacific Ocean: And whereas the Government have given funds for the establishment and support of the said school, and out of the funds so given the Right Reverend Father in God George Augustus Lord Bishop of New Zealand hath paid the sum of one hundred and fourteen pounds seven shillings and sixpence (£114 7s. 6d.) for the allotment or parcel of land hereinafter described: Now know ye, that for and in consideration of the sum of one hundred and fourteen pounds seven shillings and sixpence (£114 7s. 6d.) from the aforesaid funds by the said Lord Bishop of New Zealand so paid, we, for us, our heirs and successors, do hereby grant unto the said Bishop of New Zealand and his successors, Bishops of New Zealand, all that allotment or parcel of land in our Province of New Ulster, containing by admeasurement nine (9) acres two (2) roods and five (5) perches, more or less, situated in the suburbs of Auckland, Parish of Waitemata, County of Eden, and being allotment No. nine (9) of section two (2), bounded on the north-west by No. seven (7) six hundred and fifty (650) links, on the north by No. eight (8) five hundred and fifty (550) links, on the east by No. twenty-three A (23A) one thousand six hundred and twenty-three (1623) links, and on the south-west by a road one thousand five hundred and seventy-five (1575) links, together with the rents, issues, and proceeds thereof, to hold unto the said Bishop of New Zealand and his successors, in trust nevertheless and for the use or towards the support and maintenance of the said school, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.*

In testimony whereof we have caused this our grant to be sealed with the seal of our said Province.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this fourteenth day of April, in the fourteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty-one.

(L.S.)

G. GREY.

Entered on record this twenty-third day of April, 1851.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

## No. 2.

### GRANT for ST. MARY'S COLLEGE, NORTH SHORE.

(No. 30.)

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

*WHEREAS a School hath been established by the Government in the Parish of Takapuna, in the suburbs of Auckland, under the superintendence of the Bishop of the Roman Catholic Church at Auckland, for the education of children of our subjects of both races, and of the children of other poor and destitute persons, being inhabitants of the islands in the Pacific Ocean: And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the immediate neighbourhood thereof for the use and towards the support and maintenance of the same: Now know ye, that we, of our especial grace, for us, our heirs and successors, do hereby grant unto the said Bishop of the Roman Catholic Church at Auckland, and his successors, Bishops of the Roman Catholic Church at Auckland, all that allotment being No. twenty-two (22) in the Parish of Takapuna, in the County of Eden, in the Province of New Ulster, bounded on the north by a road seven hundred and eighty (780) links, on the east by a swamp by No. twenty-three (23) two thousand and thirty (2030) links, on the south by a road six hundred and ninety (690) links, and on the west by a road two thousand five hundred and eighty (2580) links, and containing nineteen (19) acres, three (3) roods, and thirty-three (33) perches, more or less: All those allotments being*

Nos. thirty-two (32), thirty-three (33), and thirty-four (34), in the parish before named, bounded on the north by a road one thousand five hundred and forty (1540) links, and three thousand three hundred and seventy-five (3375) links, on the west by a road two thousand two hundred and eighty (2280) links, on the south by a road seven hundred and sixty (760) links, and by a swamp, and on the east by Shoal Bay, and together containing *sixty-six* (66) *acres, two* (2) *roods, and nine* (9) *perches, more or less* : All these allotments being Nos. thirty-five (35), thirty-six (36), and thirty-seven (37) of the parish before named, bounded on the north by Shoal Bay, on the west by a road one thousand six hundred and eighty (1680) links, on the south by a road three thousand three hundred (3300) links, and one thousand five hundred and ten (1510) links, and together containing *sixty-six* (66) *acres, two* (2) *roods, and thirty-four* (34) *perches, more or less* : All those allotments being Nos. thirty-nine (39), forty (40), forty-one (41), forty-two (42), forty-three (43), forty-four (44), forty-five (45), forty-six (46), forty-seven (47), forty-eight (48), forty-nine (49), fifty (50), of the parish before named, bounded on the north by Nos. sixty-eight (68), one thousand seven hundred (1700) links, and by number thirty-eight (38), one thousand (1000) links, and one thousand seven hundred and forty (1740) links, on the east by a road five thousand (5000) links, on the south by a road four thousand (4000) links, and on the west by a road eight thousand (8000) links, and together containing *two hundred and twenty-three* (223) *acres and thirty-two* (32) *perches, more or less, together with the rents, issues, and proceeds thereof, to hold unto the said Bishop and his successors, in trust nevertheless and for the use or towards the support and maintenance of the said school, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained therat.*

In testimony whereof we have caused this our grant to be sealed with the seal of our said Province of New Ulster.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor and Commander-in-Chief of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this nineteenth day of August, in the fourteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty.

(L.S.)

G. GREY.

Entered on record this twentieth August, 1850.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

### No. 3.

(No. 36 of Reg. No. 4.)

#### FOUR GRANTS for THREE KINGS SCHOOL.

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth : To all to whom these presents shall come, greeting :

WHEREAS a School hath been established by the Government at the Three Kings, in the suburbs of Auckland, under the superintendence of the Superintendent of the Wesleyan Mission in New Zealand, for education of children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean : And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the neighbourhood thereof for the use and towards the maintenance and support of the same : Now know ye, that we, for us, our heirs and successors, do hereby grant unto the said Superintendent of the said Mission, all that allotment or parcel of land in our Province of New Ulster, containing by admeasurement *twenty* (20) *acres, more or less*, situated in the Parish of Waitemata, in the County of Eden, and being No. one hundred and twenty-four (124) of section ten (10), bounded on the north by No. one hundred and twenty-five (125), two thousand (2,000) links, on the east by a road one thousand (1,000) links, on the south by No. one hundred and twenty-three (123) two thousand (2,000) links, and on the west by No. forty-six (46) of the Parish of Titirangi one thousand (1,000) links : All that allotment or parcel of land containing *two hundred and eighty* (280) *acres, more or less*, situated in the Parish of Titirangi, in the County of Eden, and being No. eighty-seven (87), bounded on the north-west by No. fifty-one (51), three thousand three hundred and fifty (3,350) links, and one thousand one hundred and fifty (1,150) links, and by a road eight hundred (800) links, on the north-east by the road from Mount Albert to Epsom three thousand two hundred (3,200) links, one thousand three hundred and thirty-five (1,335) links, one thousand and forty (1,040) links, six hundred and seventy-five (675) links, and by branch road to Nos. forty-eight (48) and forty-nine (49), on the east by the continuation of the said branch road, on the south by a road from Mount Albert to lots Nos. forty-eight (48) and forty-nine (49), as shown on the accompanying plan on the margin : All that allotment containing *two hundred and twenty-seven* (227) *acres, more or less*, situated in the Parish of Waitemata, in the County of Eden, and being No. fourteen (14) of section thirteen (13), bounded on the north by the Ridge Road, from the Whau to Epsom, on the east by No. eight (8) of section thirteen (13), on the south by the Manukau Harbour, on the west by a stream and Wesley Bay, and by a line bearing north (magnetic) to the above-named road, as shown on the plan in the margin of this deed, *together with the rents, issues, and proceeds thereof, to hold unto the said Superintendent and his successors, in trust nevertheless and for the use and towards the support and maintenance of the said school, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained therat.*

In testimony whereof we have caused this our grant to be sealed with the seal of our said Province of New Ulster.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor and Commander-in-Chief of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this fifteenth day of October, in the fourteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty.

(L.S.)

G. GREY.

Entered on record this twenty-second November, 1850.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

(No. 31 of Reg. No. 4.)

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

WHEREAS a School has been established by the Government at the Three Kings, in the suburbs of Auckland, under the superintendence of the Superintendent of the Wesleyan Mission in New Zealand, for the education of children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of the islands in the Pacific Ocean: And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the immediate neighbourhood thereof for the use and towards the support and maintenance of the same: Now know ye, that we, of our especial grace, for us, our heirs and successors, do hereby grant unto the said Superintendent of the said Wesleyan Mission and his successors, Superintendents of the said Mission in New Zealand, all that allotment being No. ninety-three (93) of section ten (10), situated in the suburbs of Auckland, Parish of Waitemata, in the County of Eden, and containing twenty acres (20 acres), more or less, bounded on the north by No. ninety-four (94) two thousand eight hundred and thirteen links, on the west by No. one hundred and fourteen (114) seven hundred and eleven (711) links, on the south by a road two thousand eight hundred and thirteen (2813) links, and on the east by a road seven hundred and eleven (711) links, together with the rents, issues, and proceeds thereof, to hold unto the said Superintendent and his successors, in trust, nevertheless, and for the use, or towards the support and maintenance of the said school, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.

In testimony whereof we have caused this our grant to be sealed with the seal of our Province of New Ulster.

Witness our trusty and well-beloved Sir George Grey, K.C.B., Governor and Commander-in-Chief of our said Province and its Dependencies, at Government House, Auckland, in New Ulster aforesaid, this thirty-first day of August, in the fourteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty.

(L.S.)

G. GREY.

Entered on record this seventeenth day of September, 1850.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

(No. 64 of Reg. No. 4.)

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

WHEREAS a School hath been established by the Government at the Three Kings, in the suburbs of Auckland, under the supervision of the Superintendent of the Wesleyan Mission in New Zealand, for the education of children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean: And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the neighbourhood thereof for the use and towards the maintenance and support of the same: Now know ye, that we, for us, our heirs and successors, do hereby grant unto the said Superintendent of the said Mission all that allotment or parcel of land in our Province of New Ulster, containing by admeasurement nineteen (19) acres one (1) rood and six (6) perches, more or less, situated in the Parish of Waitemata, in the County of Eden, and being No. one hundred and nineteen (119) of section ten (10), of the suburbs of Auckland, and bounded on the north by No. one hundred and eighteen (118) two thousand seven hundred and thirteen (2713) links, on the west by a road seven hundred and eleven (711) links, on the south by No. one hundred and twenty (120) two thousand seven hundred and thirteen (2713) links, and on the east by a road seven hundred and eleven (711) links, as shown on the plan of the margin of this deed, together with the rents, issues, and proceeds thereof, to hold unto the said Superintendent and his successors, in trust nevertheless and for the use and towards the support and maintenance of the said School, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.

In testimony whereof we have caused this our grant to be sealed with the seal of our said Province.

Witness our trusty and well-beloved Robert Henry Wynyard, Esq., C.B., Lieutenant-Governor of our said Province and its Dependencies, at Government House, this nineteenth day of June, in the fifteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty-two.

(L.S.)

R. H. WYNYARD, Lieut-Governor.

Entered on record this twenty-ninth day of July, 1852.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

No. 79 of Reg. No. 4.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and so forth: To all to whom these presents shall come, greeting:

WHEREAS a School hath been established by the Government at the Three Kings, in the suburbs of Auckland, under the superintendence of the Superintendent of the Wesleyan Mission in New Zealand, for the education of children of our subjects of both races, and of children of other poor and destitute persons being inhabitants of islands in the Pacific Ocean: And whereas it would promote the objects of the said institution to set apart certain pieces or parcels of land in the neighbourhood thereof for the use and towards the maintenance and support of the same: Now know ye, that we, for us, our heirs and successors, do hereby grant unto the said Superintendent of the said Mission all these allotments or parcels of land containing by measurement sixty-five (65) acres, one (1) rood, and six (6) perches, more or less, situated in the Parish of Waitemata, in the County of Eden, and being lots Nos. one hundred and eighteen (118), one hundred and twenty-two (122), and one hundred and twenty-three (123), of section No. ten (10) of the suburbs of Auckland, lot No. one hundred and eighteen (118), being bounded on the north by lot No. one hundred and seventeen (117), two thousand seven hundred and thirteen (2713) links; on the west by a road seven hundred and eleven (711) links, on the south by lot one hundred and nineteen (119), two thousand seven hundred and thirteen (2713) links, and on the east by a road seven hundred and eleven (711) links, lots Nos. one hundred and twenty-two (122), and one hundred and twenty-three (123), being bounded on the north by lot No. one hundred and twenty-four (124), two thousand (2000) links, on the east by a road two thousand three hundred (2300) links, on the south by a road two thousand (2000) links, and on the west by lots Nos. one hundred and fifty (150) and one hundred and fifty-one (151), two thousand three hundred (2300) links, with all the rights and appurtenances thereto belonging, to hold unto the said Superintendent and his successors, in trust nevertheless for the use and towards the support and maintenance of the said School, so long as religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.

In testimony whereof we have caused this our grant to be sealed with the seal of our said Colony of New Zealand.

Witness our trusty and well-beloved Robert Henry Wynyard, C.B., Officer administering the Government, and Commander-in-Chief in and over the Islands of New Zealand. at Auckland, this twenty-second day of June, in the eighteenth year of our reign, and in the year of our Lord one thousand eight hundred and fifty-four.

R. H. WYNYARD.

Entered on record this eleventh day of July, 1854.

ANDREW SINCLAIR,  
Colonial Secretary and Registrar.

## No. 4.

## SCHEDULE OF GRANTS.

## Church of England.

Acreage.	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P. 1 0 16	Waitemata, lots 19-22 of sec. xxx., City of Auckland	Bishop of New Zealand, Nov. 4, 1843	Church Site	George Patrick Pierce, James Herbert Horne, Shirley Whitfield Hill.
0 1 20	Ditto, not described by number but by boundaries in City of Auckland	Ditto Mar. 16, 1844 ..	Ditto ..	Ditto.
0 1 23	Ditto ditto ..	Ditto Dec. 24, 1847 ..	Ditto ..	Ditto.
1 0 0	Ditto, lot 9 of sec. xviii., Onehunga	Ditto July 21, 1848 ..	Ditto ..	James Baber, Henry Taylor, Thomas Paton.
1 0 0	Pakuranga, lot 1 ..	Ditto ditto ..	Ditto ..	T. M. Haultain, S. T. Seddon, J. Gordon.
0 3 22	Waikato boundaries indefinite	Ditto Nov. 8, 1853 ..	Ditto ..	C. Heaphy, J. Baber, G. M. O'Rorke.
0 2 0	Waiuku East, lots 13 and 14 of sec. xx., Pakington	Ditto July 15, 1867 ..	Ditto ..	Ditto.
0 2 0	Owhiwa, lot 58, Tamaterau	Ditto ditto ..	Ditto ..	Ditto.
0 3 10	Mongonui, lot 47 of Township of Mongonui	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Omaha, lot 81, Leigh ..	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Karakā, lot 170, Weymouth	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangawai, lot 33, Molesworth, suburban	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Maungatawhiri, lot 3 of sec. viii., Havelock	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangapai, lot 18, Mangapai	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Oruawhara, lot 10, Albert Town	Ditto ditto ..	Ditto ..	Ditto.
0 1 32	Kapanga, lot 47, Coromandel	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Waikomiti, lot 160a., Whau South	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Owhiwa, lot 27, Graham Town	Ditto ditto ..	Ditto ..	Ditto.

SCHEDULE OF GRANTS—*continued.*Church of England—*continued.*

Acreage	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P. 0 1 38	Waikomiti, lot 43 of sec. ii., Whau North	Ditto July 15, 1867 ..	Church Site	C. Heaphy, J. Baber, G. M. O'Rorke.
0 1 17	Whangaroa, lot 5 of sec. xiv., Raglan	Ditto, Feb. 11, 1868 ..	Ditto ..	Ditto.
0 3 36	Takapuna, lot 35 of sec. ii. ..	Ditto, Oct. 19, 1855 ..	Church and School	George Patrick Pierce, James Herbert Horne, Shirley Whitfield Hill.
870 0 0	At Otawhao, boundaries given	Ditto, Oct. 29, 1853 ..	School ..	Sir W. Martin, Col. T. Haultain, Rev. T. Chapman, Rev. R. Burrows, Major C. Heaphy.
280 0 0	At Kohanga, ditto ..	Ditto ditto ..	Ditto ..	Ditto.
133 3 0	Above Taupiri, ditto ..	Ditto ditto ..	Ditto ..	Ditto.
470 0 0	Above Kohanga, ditto ..	Ditto, Dec. 29, 1853 ..	Ditto ..	Ditto.
1385 0 0	Above Taupiri South, ditto..	Ditto, Dec. 15, 1853 ..	Ditto ..	Ditto.
40 0 11	Waitemata, lots 18-21, 23, and 23a., of sec. ii., sub- urban, Auckland	Ditto, Sept. 23, 1850 ..	Industrial School	Ditto.
18 0 0	Ditto, lots 15-17 of sec. ii., suburban, Auckland	Ditto ditto ..	Ditto ..	Ditto.
9 2 5	Ditto, lot 9 of sec. ii., sub- urban, Auckland	Ditto, April 14, 1851 ..	Ditto ..	Ditto.
4 0 36	Orakei, lots 1, 2, and 3 ..	Ditto, June 28, 1859 ..	Chch. School & Cemetery (Native.)	Ditto.
5 0 0	Opaeke, at Papakura, boundaries given	Ditto ditto	Ditto ..	Ditto.
3 0 0	Mangere, Native, lot 10 ..	Honana Maioha and others, Feb. 11, 1867	Ditto ..	Grantees.
5 0 0	Pakuranga, lot 2 of sec. vii., Howick	Bishop of New Zealand, Dec. 29, 1853	Giebe ..	C. Heaphy, G. M. O'Rorke, J. Baber.
4 3 27	Waitemata, lot 1 of sec. xxii., Onehunga	Ditto, Dec. 29, 1853 ..	Ditto ..	Ditto.
8 3 5	Ditto, boundaries given, City of Auckland	Ditto, July 12, 1842 ..	Cemetery ..	G. P. Pierce, J. H. Horne, S. W. Hill.
0 3 30	Ditto ditto ..	Ditto, Nov. 4, 1843 ..	Ditto ..	Ditto.
2 1 25	Orongikahui, at Rotorua ..	Ditto, Nov. 15, 1852 ..	Ditto ..	C. Heaphy, G. M. O'Rorke, J. Baber.
1 1 16	Takapuna, part of lot 26a. of sec. ii.	Ditto, Feb. 9, 1856 ..	Ditto ..	G. P. Pierce, J. H. Horne, S. W. Hill.
2 3 0	Waiuku East, part of lot 98	Ditto, Oct. 21, 1859 ..	Ditto ..	C. Heaphy, G. M. O'Rorke, J. Baber.
0 2 27	Waitemata, lot 4 of sec. viii., City of Auckland	Ditto, May 23, 1844 ..	School and Parsonage	G. P. Pierce, J. H. Horne, S. W. Hill.
..	At Orere, boundaries given	Ditto ditto ..	Miss. Station & parsonage	Grantee.
10 0 0	At Maketu, ditto ..	Archdn H. Williams and others, Sep. 20, 1848	Miss. Station & like purpos.	Ditto.
175 0 38	At Otawhao, ditto ..	Ditto, Oct. 15, 1850 ..	Ditto ..	See Mr. Heale's letter in Appendix.
318 2 10	At Rotorua, ditto ..	G. A. Kissling and others Sept. 21, 1854	Ditto ..	Grantee.
593 0 0	At Wairengahika (Poverty Bay), ditto*	Bishop of Waiapu, May 7, 1860	Native School	The Right Rev. the Bishop of Waiapu, Rev. W. L. Williams, Ihiaia Te Noti, Poihipi Te Rohe, Henare Kapa Ruru, Wiremu Pere, Matina Ruta Toti, Pita Te Huhu, Te Teira Kupa.

\* Evidence respecting this grant taken at Napier, and will be included in Report on Hawke's Bay Trusts.

## Roman Catholic Church.

0 1 13	Waitemata, lot 34 of sec. xviii., City of Auckland	Roman Catholic Bishop and others, Dec. 2, 1850	Church Site	Grantee
1 0 0	Manurewa, lot 7 of sec. vii., Otahuhu	Ditto, Aug. 14, 1851 ..	Ditto ..	Ditto.
1 0 0	Waitemata, lot. 51 of sec. ii., Panmure	Ditto ditto ..	Ditto ..	Ditto.
1 0 0	Pakuranga, lot 1 of sec. ix., lots near Howick	Ditto ditto ..	Ditto ..	Ditto.
1 0 0	Waitemata, lot 1 of sec. xiv., Onehunga	Ditto ditto ..	Ditto ..	Ditto.
0 1 2	Ditto, lot 10 of sec. xxv., City of Auckland	Ditto, Sept. 16, 1852 ..	NativeCh.Site	Sold.
1 2 14	At Rangiaohia ..	Roman Catholic Bishop, July 24, 1867	Ditto ..	Grantee
0 2 0	Owhiwa, lot 24, Tamaterau	Ditto, July 15, 1867 ..	Church Site	Ditto.
0 1 38	Tokatoka, lot 54, Tokatoka	Ditto ditto ..	Ditto ..	Ditto.
0 2 5	Mangapai, lot 40, Mangapai	Ditto ditto ..	Ditto ..	Ditto.
0 2 8	Waikomiti, lot 172, Whau South	Ditto ditto ..	Ditto ..	Ditto.

SCHEDULE OF GRANTS—*continued*.  
Roman Catholic Church—*continued*.

Acreage.	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P.				
0 2 0	Maungatawhiri, lot 1 of sec. viii., Havelock	Ditto, July 15, 1867 ..	Church Site	Grantee.
0 2 7	Mongonui, lot 130, Mongonui	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Oruawharo, lot 26, Albert Land	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Waiuku East, lots 3 and 4, sec. xxxix., Pakington	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Puni, lots 13 and 14, sec. vii., Cameron	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Karaka, lot 76, Weymouth	Ditto ditto ..	Ditto ..	Ditto.
3 3 20	Waitemata, lot 4 of sec. ii., lots near Panmure	Roman Catholic Bishop and others, Aug. 14, 1851	Glebe ..	Ditto.
4 0 0	Manurewa, lots 8-10 of sec. vii., lot 9 of sec. xi., Otahuhu	Ditto ditto ..	Ditto ..	Ditto.
4 0 0	Pakuranga, lot 2, sec. ix., lots near Howick	Ditto ditto ..	Ditto ..	Ditto.
4 0 0	Waitemata, lots 1, 3, 5, 7, sec. x., Onehunga	Ditto ditto ..	Ditto ..	Ditto.
376 1 28	Takapuna, lots 22, 23, 32-37, 39-50	Roman Catholic Bishop, Aug. 19, 1850	Industrial School	Grantee
0 2 0	Waitemata, lot 19A, sec. xxv., City of Auckland	Ditto, Sept. 15, 1852 ..	School	Ditto.
4 3 0	Ditto, lot 15, sec. viii., Suburbs of Auckland	Ditto, Nov. 5, 1853 ..	Industrial School	Ditto.
0 2 0	Whaingaroa, lot 1, sec. xix., Raglan	Ditto, July 15, 1867 ..	Church Site	Ditto.
0 2 22	Kapanga, lot 47, Coromandel	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Omaha, lot 61, Leigh ..	Ditto ditto ..	Ditto ..	Ditto.
0 1 36	Paparoa, lot 37, Paihi ..	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangawai, lot 37, Molesworth Suburban	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Owhiwha, lot 148, Grahamtown	Ditto ditto ..	Ditto ..	Ditto.
191 0 0	At Rangiaohia ..	Ditto, July 24, 1857 ..	Native School	Ditto.
1 0 0	Waitemata, lot 7, sec. xi., Otahuhu	Roman Catholic Bishop and others, Aug. 14, 1851	Cemetery	Ditto.
1 0 20	Ditto, lot 52, sec. ii., Panmure	Ditto ditto ..	Ditto ..	Ditto.
1 0 0	Pakuranga, lot 1A, sec. ix., lots near Howick	Ditto ditto ..	Ditto ..	Ditto.
1 0 0	Waitemata, lot 9, sec. x., Onehunga	Ditto ditto ..	Ditto ..	Ditto.
5 0 18	Ditto, lot 22, sec. vii., Suburbs of Auckland	Roman Catholic Bishop, Sept. 16, 1852	Ditto ..	Ditto.
0 2 0	Takapuna, lot 26A, sec. ii., (part)	Ditto, July 2, 1862	Ditto ..	Ditto.

Wesleyan Methodist Society.

0 2 31	Waitemata, lot 27, sec. iv., City of Auckland	J. Hobbs, Jas. Buller, and others, Dec. 15, 1843	Chapel Site	J. Williamson, Capt. J. Stone, H. White, (dead), T. Russell, Wm. Philipps, (dead), A. Somerville, R. Matthews, (dead), R. Scott, J. Lillewall, T. A. White, (dead), G. Elliott, H. Ellis, A. Boon, J. Heron, W. Thorne.
0 2 3	Ditto, lot 3, sec. xii., City of Auckland	Walter Lawry, June 16, 1848	Native Chapel	J. Williamson, Capt. J. Stone, T. Russell, R. Hobbs, W. Mears, A. Somerville, J. Edson, W. C. Wilson, W. Griffiths, J. Heron, M. Somerville.
1 0 0	Ditto, lot 2, sec. v., Onehunga	Ditto, Dec. 11, 1850 ..	Chapel Site	J. Ninnis, J. Bycroft, E. Harrison, (dead), D. Holdsworth, (dead), A. Vickery, (left the Colony), T. Russell, A. Boon.
1 0 0	Manurewa, lot 9, sec. viii., Otahuhu	Ditto, Sept. 16, 1852 ..	Ditto ..	J. Bycroft, W. Westney, R. G. Buttle, Rev. H. H. Lawry, H. W. Vercoe, J. F. Clarke, R. D. Badley, E. Cooper, C. C. Fleming.
0 2 0	Kapanga, lot 80, Coromandel	James Buller, July 27, 1867	Ditto ..	Grantee.
0 2 0	Mangawai, lot 34, Molesworth Suburban	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangapai, lot 37, Mangapai	Ditto ditto ..	D ..	Ditto.



SCHEDULE OF GRANTS—*continued*.  
Wesleyan Methodist Society—*continued*.

Acreage.	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P. 0 2 0	Owhiwa, lot 61, Tamaterau	James Buller, July 27, 1867	D ..	Grantee.
0 3 16	Mongonui, lot 36, Mongonui	Ditto ditto ..	D ..	Ditto.
0 2 0	Omaha, lot 50, Leigh ..	Ditto ditto ..	D ..	Ditto.
0 2 0	Waiuku East, lot 304, sec. xli., Pakington	Ditto ditto ..	D ..	Ditto.
0 2 0	Maungatawhiri, lot 2, sec. ix., Havelock	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Owhiwa, lot 30, Grahamtown	Ditto ditto ..	Ditto ..	Ditto.
0 2 10	Waikomiti, lot 111, Whau South	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Oruawharo, lot 60, Albert Town	Ditto ditto ..	Ditto ..	Ditto.
0 2 6	Whaingaroa, lot 5, sec. xv. (part), Raglan	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Karaka, lot 90, Weymouth	Ditto ditto ..	Ditto ..	Ditto.
6 3 0	Waitemata, lot 20, sec. iii., Auckland Suburban	Walter Lawry, Oct. 7, 1844	Native Institution	J. Williamson, Capt. J. Stone, H. White (dead), T. Russell, William Philipps (dead), A. Somerville, G. Elliott Elliott, H. Ellis, T. Overton, Alfred Boon, J. Heron.
192 3 12	Ditto, lots 86-92, Suburban Farms	Ditto, April 1, 1845 ..	Ditto ..	Ditto.
20 0 0	Ditto, lot 93, sec. x., Auckland Suburban	Superintendent of Wesleyan Mission, Aug. 31, 1858	Industrial School	Ditto.
527 0 0	{ Waitemata, lot 124, sec. x., and lot 14, sec. xiii. Titirangi, lot 87	{ Ditto, Dec. 15, 1850 ..	Ditto ..	Ditto.
19 1 6	Waitemata, lot 119, sec. x., Auckland Suburban	Superintendent of Wesleyan Mission, June 19, 1852	Industrial School	J. Williamson, Capt. J. Stone, H. White, (dead), T. Russell, W. Philipps, (dead), A. Somerville, G. Elliott Elliott, H. Ellis, T. Overton, A. Boon, J. Heron.
65 1 6	Ditto, lots 118, 122, 123, sec. x. Auckland Suburban	Ditto, June 22, 1854 ..	Ditto ..	As in original grant, not conveyed to Trustee.
402 0 0	Aotea, lot 1 ..	Thomas Buddle, June 28, 1859	Native School	Ditto.
169 0 0	Waiharakeke, lot 1 ..	Ditto, July 21, 1859 ..	Ditto ..	Ditto.
0 2 20	Waitemata, lot 2, sec. xii., Auckland City	Walter Lawry, Oct. 28, 1845	Bona fide purposes of Wesleyan Mission	J. Williamson, Capt. J. Stone, T. Russell, R. Hobbs, W. Mears, A. Somerville, J. Edson, W. C. Wilson, W. Griffith, J. Heron, Mark Somerville.
0 1 18	Ditto, lot 12, sec. vii., Auckland City	Ditto ditto ..	Ditto	Sold.
0 2 0	Oruawharo, lot 61, Albert Town	J. Williamson and others, May 13, 1865	Trusts of Wesleyan Model Deed	J. Williamson, Capt. J. Stone, H. White, (dead), T. Russell, A. Somerville, M. Somerville, G. Elliott Elliott, J. Heron, A. Boon, W. C. Wilson.

**Presbyterian Congregations.**

0 2 6	Waitemata, lot 1, sec. ix., City of Auckland	Andrew Sinclair and others, Trustees, March 23, 1848	Church Site	Grantees.
0 2 18	Ditto, lot 4, 5, 6, of sec. ix., City of Auckland	George Ann Pantou and others, Trustees, June 28, 1850	School Site	Ditto.

**Baptist Congregations.**

0 2 35	Owhiwa, lot 388, Grahamtown	Philip Henry Cornford and others, Trustees, July 15, 1867	Chapel Site	Grantees.
0 2 0	Whaingaroa, lot 7, of sec. xiv., Raglan	Ditto ditto ..	Ditto ..	Ditto.

**Primitive Methodist Congregations.**

0 1 4	Waitemata, lots 3, 4, 4A. of xxxvi., City of Auckland	Robert Ward and others, Trustees, October 7, 1850	Chapel and School Site	Grantees.
-------	---	---	------------------------	-----------

SCHEDULE OF GRANTS—*continued.*  
Hebrew Congregations.

Acreage.	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P. 1 0 0	Waitemata .. ..	John J. Montefiore and D. Nathan, November 24, 1843.	Cemetery	Grantees.
0 1 19	Ditto, lot 22 of sec. ix, City of Auckland	Charles Davis and P. A. Philips, November 13, 1865	Synagogue site	Ditto.
0 2 0	Owhiwa, lot 60, Tamaterau	David Nathan and Aaron Philips, July 15, 1867	Ditto ..	Ditto.
0 2 0	Puni, lots 8 and 9, of sec. x., Cameron	Ditto ditto ..	Ditto ..	Ditto.
0 1 37	Paparua, lot 150, Pahi ..	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Owhiwa, lot 182, Grahamtown	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Omaha, lot 78, Leigh ..	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Maungatawhiri, lot 2, of sec. x., Havelock	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Kapanga, lot 82, Coromandel	Ditto ditto ..	Ditto ..	Ditto.
0 2 12	Waikomiti, lot 113, Whau South	Ditto ditto ..	Ditto ..	Ditto.
0 2 7	Mongonui, lot 141, Mongonui	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangawai, lot 38, Suburbs of Molesworth	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Karaka, lot 113, Weymouth	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Whaingaroa, lot 1 of sec. xv., Raglan	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Oruawharo, lot 43, Albert Town	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Tokatoka, lot 58, Tokatoka	Ditto ditto ..	Ditto ..	Ditto.
0 2 0	Mangapai, lot 13, Mangapai	Ditto ditto ..	Ditto ..	Ditto.

Educational Trust Grants.

4 3 16 Town	Waitemata, lots 11–14 of sec. 9, 1 of x., and 14–18 of sec. xxii., City of Auckland	A. Sinclair, W. Swainson, and A. Shepherd, October 24, 1850	*	Superintendent.
30 2 7	Waitemata, lots 2 c., 2d., 2e., 2f. of sec. x., and 18, 19 of sec. iv., Suburbs of Auckland	Ditto ditto ..	*	Ditto
208 0 0	Pakuranga, lots 17 (in part) and 59, Tamaki farms	Ditto ditto ..	*	Ditto
33 3 0	Waitemata, lot 9 of sec. xcv., 23a. and 23b. of sec. vi., Suburbs of Auckland	Ditto, October 28, 1850	Ditto ..	Ditto
..	Takapuna, lot 20 of sec. ii.	..	..	Ditto
3 0 0	Waitemata, lot 2 of sec. xv., Suburbs of Auckland	Ditto, April 14, 1851 ..	Ditto ..	Ditto
4 0 0	Waitemata, lots 20, 21 of sec. ix., City of Auckland	Ditto, Dec. 29, 1853 ..	Ditto ..	Ditto
80 1 30	Waitemata, lots 57, 70, 74, 83, 95 of sec. xvi., Suburbs of Auckland	Superintendent, March 16, 1858	Sites and Endowments of Common Schools.	Ditto.
..	Mahurangi, lots 65, 68, 73, 76, 119, 120, 165 Mahurangi	..	..	..
..	Mahurangi, lots 30, 52, 91, 99, 122, 123, 135, 152, Matakana	..	..	..
..	Waiuku East, lots 12–17 of sec. ii., Purapura	..	..	..
..	Opaheke, lots 43–46, 58–61 of sec. viii., Drury	..	..	..
..	Waitemata, lot 1 of sec. iii., Panmure	..	..	..
..	Manurewa, lot 1 of sec. viii., Otahuhu	..	..	..
107 0 82	Takapuna, lot 36 of sec. ii. Mongonui, lots 44, 40, 113, 125, 136, 149, 196, 212, 228, 235	Ditto, Sept. 6, 1861 ..	Ditto ..	Ditto.
..	Kaio, lot 33	..	..	..
..	Tokatoka, lots 15, 16 ..	Ditto ditto ..	Ditto ..	Ditto.
..	Whakahara, lots 19, 20 ..	..	..	..
..	Arapohue, lot 13 ..	..	..	..
..	Whangarei, lot 40 ..	..	..	..
..	Maungatapere, lot 58 ..	..	..	..
1,703 0 0	Mangawai, lot 41 ..	..	..	..
..	Mangapai, lots 37, 38, 40, 42	..	..	..
..	Matakana, lot 61 ..	..	..	..
..	Waiwera, lot 143 ..	..	..	..
..	Kawaka, lot 83 ..	..	..	..
..	Ruarangi, lot 26 ..	..	..	..
..	Waikomiti, lot 45 of sec. i., and 4, 9, 17, 41 of sec. ii., Whau North, and 17, 110, 119, 173, 175, 258, 283, 294, 285, Whau South	Ditto, Sept. 27, 1861 ..	Ditto ..	Ditto
386 1 7	Waiuku East, lots 1–16 of sec. xiii., Suburbs of Pakington	..	..	..
..	Awhitu, lot 100 ..	..	..	..

\* Maintenance and support of a College and Grammar School or Schools at Auckland; or of Grammar School or Schools only.

SCHEDULE OF GRANTS—*continued.*  
Miscellaneous Grants.

Acreage.	Locality.	Grantee and Date of Grant.	Description of Trust.	In whom now Vested.
A. R. P. 4 0 0	Waikomiti, lot 238	Andrew Kelly and others, Trustees, July 15, 1867	Place of Public Worship and School Cemetery	Grantees.
5 0 0	Mangapai, lot 3 (N.W. pt.)	T. Hunter, J. O'Meara, W. Harrison, February 12, 1864		Ditto.
15 0 36	Waitemata, lot 54 of sec. xii., Suburbs of Auckland	Superintendent and successors, November 25, 1859	Ditto	Ditto.
0 1 9	Lot 26 of sec. iv., (pt.), City of Auckland	C. W. Ligar and others, August 15, 1843	Mechanics' Institute.	Ditto.
0 1 1	Lot 26 of sec. iv., (pt.) City of Auckland	J. Robinson, J. McNair, October 16, 1844	Temperance Hall.	J. McCosh Clark, John Probert.
0 1 27	Lot 1 of sec. iii., (pt.), City of Auckland	Mayor, Aldermen, and Burgesses, January 7, 1852	Market House	
45 2 17	Secs. xxxv., i., ii., lii., liii., City of Auckland	Council and Burgesses of Auckland, Jan. 7, 1854	City improvement.	
0 2 15	Lot 4 of sec. xii., City of Auckland	A. Sinclair and others, Jan. 7, 1854	Native Hostelry Site.	General Government.
6 1 0	Lot 89 of sec. i., Suburbs of Auckland	Ditto ditto ..	Ditto endowment.	Ditto.
0 0 9	Akura, lot 31 .. ..	Superintendent, ditto	Town Hall.	Grantee.
12 0 0	Lot 41 of sec. iii., Suburbs of Auckland	A. Sinclair and others, October 28, 1850	Hospital ..	Superintendent and successors.
3 0 14	Lot 1 of sec. xcix., Suburbs of Auckland	Ditto, April 24, 1851	Ditto ..	Ditto.
2 0 20	Lot 12, sec. iv., lot 16, sec. vii., lot 8., sec. xv., City of Auckland	Ditto, August 24, 1850	Ditto ..	Ditto.
180 3 19	Waitemata, sec. i., No. 1-15	.. ..	.. ..	.. ..
102 1 24	Takapuna .. ..	.. ..	.. ..	.. ..
2 0 14	Waitemata, lot 19 of sec. ix., City of Auckland	Ditto, October 18, 1850	Lodging-houses, Stores and Market-places for the poor.	General Government.
2 0 9	Ditto, lot 11 of sec. xx., Onehunga	Ditto, October 19, 1850	Ditto ..	Ditto.
1 1 20	Ditto, lot 8 of sec. xcv., Suburbs of Auckland	Ditto, October 18, 1850	Drying-grounds, Baths, and Wash-house.	Ditto.

No. 5.

NATIVE SCHOOL TRUST ACCOUNT—CHURCH OF ENGLAND

*From 1st October, 1866, to 30th June, 1867.*

RECEIPTS.				EXPENDITURE.			
	£	s.	d.		£	s.	d.
Balance .. .. .			290 16 10	<i>Current.</i>			
<i>Rents—</i>				<i>Kohanga—</i>			
Mr. Taylor .. .. .	26	0	0	Expenses Mr. Revell and family to Kohanga ..	13	5	0
„ Roskrugge .. .. .	4	0	0	Books for ditto .. ..	7	0	4
„ Gay .. .. .	11	14	0	Salary, four month .. ..	25	0	0
„ Spargo .. .. .	50	0	0				45 5 4
„ Fenton .. .. .	6	12	0	<i>Repairs—</i>			
			98 6 0	Shingling St. Stephen's ..	73	9	7
<i>Interest—</i>				Draining land at St. Stephen's	9	2	1
Loan to Flagstaff Church ..			8 15 0				82 11 8
<i>Capital—</i>				<i>Capital.</i>			
Refund of Loan .. .. .	8	15	0	<i>Kohanga</i>			
Sale of stock at Kohanga ..	128	0	0	Mr. Stewart's account			
Transfer from old account ..	336	2	9	Rev. J. Moanaroa .. ..	10	18	11
			472 17 9	Transport of goods .. ..	6	17	1
				Commission, &c., .. ..	5	2	0
				Expenses of wool .. ..	9	12	0
				Fenton .. .. .	3	10	0
				Paid in 1865 .. .. .	25	0	0
				Still due .. .. .	27	0	0
							88 0 0
				Flagstaff Loan .. ..			175 0 0
				<i>Hopuhopu—</i>			
				Repairs of house .. ..	100	0	0
				Cows .. .. .	73	0	0
				Fencing wire .. .. .	13	1	0
				Labourer .. .. .	26	0	0
							212 1 0
				Insurance .. .. .			36 2 6
				Balance in Bank of New Zealand			231 15 1
							£870 15 7
			£870 15 7				£870 15 7

G. A. NEW ZEALAND,



City, on the sixth day of May, one thousand eight hundred and sixty-eight, and at such sale the said Henry Chamberlin was the highest bidder for and became the purchaser of the said hereditaments, for the sum of two hundred and ten pounds: Now this deed witnesseth that, in consideration of the premises, the said Jean Baptiste François Pompallier doth hereby convey and assure unto the said Henry Chamberlin, his heirs and assigns, all that piece or parcel of land situate in Auckland aforesaid, Parish of Waitemata, County of Eden, being part of allotment number thirty-three of section number eighteen of the Town of Auckland, bounded on the north by allotment number thirty-two, sixty-three feet four inches; on the east by other part of said allotment, formerly purchased by one McNair, twenty-three feet; on the south by other part of said allotment, formerly purchased by one White, sixty-five feet; and on the west by Hobson Street, twenty-five feet, as the same is delineated by the plan in the margin hereof, marked A, edged red: *And all that allotment or parcel of land in New Zealand aforesaid, containing by admeasurement nineteen acres three roods and thirty-nine perches, more or less, situated in the Parish of Takapuna, County of Eden, suburban allotment, allotment seventy-seven, bounded on the north-east by a road seven hundred and forty links, on the south-east by a creek, on the south by a creek, and on the north-west by lot number seventy-six, two thousand six hundred and eighty links save and except four acres of land, more or less, situate at the north-east end of the said parcel of land, as the same is delineated by the plan in the margin hereof, marked B, edged red:* And all those parcels of land in the Province of Auckland, in the Colony aforesaid, containing by admeasurement eight hundred and twenty-seven acres, more or less, situated in the Parish of Ruarangi, in the County of Marsden, and being allotments numbers sixty-one, sixty-three, sixty-four, sixty-five, sixty-six, sixty-eight, eastern portion of allotment number sixty-two, and south-western portion of allotment number sixty-seven, bounded on the north and north-east by other portion of allotment number sixty-seven, four thousand one hundred links, and two thousand five hundred and eighty links, and by allotment number sixty-nine, four thousand one hundred and sixty links; on the south and south-east by a road; on the west by other portion of allotment number sixty-two, four thousand four hundred and thirty links, and sixty links, and by allotments numbers fifty-nine and sixty, three thousand five hundred and forty links, and four thousand nine hundred and twenty links; and on the north-west by a road one thousand four hundred and forty links, six hundred and eleven links, six hundred and ninety links, one hundred and ninety-one links, one hundred and sixty-four links, five hundred and eighty-one links, nine hundred and eighty-five links, two hundred and eighteen links, five hundred and ninety-seven links, three hundred and ninety-five links, six hundred links, one thousand one hundred and eighteen links, and six hundred and fifty-three links, as the same are delineated by the plans drawn in the margin hereof, marked C, edged red: And all that piece or parcel of land in the Province and Colony aforesaid, containing by admeasurement fifty-three acres, more or less, situated in the Parish of Kaukapakapa, in the County of Marsden, and being allotment number one hundred and eight, bounded on the north by a road, on the east by a road, on the south by allotment number one hundred and nine, three thousand and forty links, and on the west by allotment number one hundred and ten, two thousand nine hundred and forty-five links, as the same is delineated by the plan drawn in the margin hereof, marked D, edged red: And also all that piece or parcel of land in New Zealand aforesaid, being lots numbers twenty-eight and twenty-nine of section number seven of the subdivision into lots, and sections of allotment number thirty-seven, and part of allotment number thirty-eight, situated in the Parish of Opaheke, in the County of Eden, which piece or parcel of land is part of said allotment number thirty-eight, bounded on the north-west by Cameron Street, one hundred and thirty-two feet, on the north-east by a line one hundred and thirty-two feet, on the south-east by lots numbers eighteen and nineteen of same section of said subdivision, one hundred and thirty-two feet, and on the south-west by lot number thirty of same section of said subdivision, one hundred and thirty-two feet, as the same is delineated by the plan drawn in the margin hereof, marked E, edged red: Together with all the rights and appurtenances to the said several hereditaments and premises belonging, to have and to hold the said hereditaments and premises unto the said Henry Chamberlin, his heirs and assigns, for ever. In witness whereof the said parties have hereunto set their hands, the day and year first hereinbefore written.

JEAN BAPTISTE FRANÇOIS POMPALLIER,  
by L. O'BRIEN, authorized by Statute.

Signed by the said Laughlin O'Brien, as Registrar of the Supreme Court, as hereinbefore mentioned, on behalf and in the name of the said Jean Baptiste François Pompallier, under and by virtue of the said "Conveyancing Ordinance Amendment Act, 1860," in the presence of W. H. Connell, Clerk, Auckland.

The Deeds Register Office, Auckland, 29th March, 1869.

I hereby certify that the foregoing is a correct copy of the conveyance numbered 37,498, the same having been examined with the record copy thereof in Volume 22b, folio 564.

JOSIAH BUTTRESS, Deputy Registrar.

## No. 7.

CONVEYANCE by Bishop POMPALLIER to Mr. WILLIAM SWANSON of remainder of Site (with Buildings thereon) of St. Mary's College, North Shore.

THIS Deed, made the third day of March, one thousand eight hundred and sixty-nine, between the Right Reverend Jean Baptiste François Pompallier, Roman Catholic Bishop of Auckland, in the

Colony of New Zealand (at present on a visit to Europe), of the one part, and William Swanson, of Auckland aforesaid, Esquire, of the other part, Witnesseth that, in consideration of the sum of three hundred and twenty-five pounds paid by the said William Swanson to the said Jean Baptiste François Pompallier (the receipt whereof is hereby acknowledged), he the said Jean Baptiste François Pompallier doth hereby convey and assure unto the said William Swanson, his heirs and assigns, all that piece or parcel of land situated in the Parish of Takapuna, County of Eden, containing four acres, more or less, being part of an allotment containing nineteen acres three roods thirty-nine perches, as the same is excepted out of a certain deed of mortgage, registered in the Registrar of Deeds' Office, at Auckland aforesaid, as No. 35,959, bearing date on or about the eighth day of August, one thousand eight hundred and sixty-seven, and made between the said Jean Baptiste François Pompallier of the one part, and one Henry Chamberlin of the other part; with all buildings thereon erected, and all other the rights and appurtenances thereunto belonging, to hold the same unto the said William Swanson, his heirs and assigns, for ever. In witness whereof, James McDonald, Grand Vicar of Auckland (with the consent of Walter McDonald, Private Secretary to the said Jean Baptiste François Pompallier, and Michael O'Hara, of Otahuhu, near Auckland aforesaid, a Roman Catholic priest), hath, under and by virtue of a certain deed, poll, or power of attorney, bearing date the twelfth day of February, one thousand eight hundred and sixty-eight, under the hand and seal of the said Jean Baptiste François Pompallier, and deposited in the Registrar of Deeds' Office at Auckland aforesaid, as No.                   hath hereunto subscribed the name of the said Jean Baptiste François Pompallier and the said William Swanson hath hereunto subscribed his own name, &c.

† JOHN BAPTISTE FRANÇOIS POMPALLIER,  
by his Attorney, JAMES McDONALD, Grand Vicar.

Signed by the said Jean Baptiste François Pompallier, by  
his Attorney, James McDonald, in the presence  
of Stephen E. Hughes, Solicitor, Auckland.

We hereby consent and concur in the above sale.

M. D. O'HARA, Rector of Otahuhu.  
WALTER McDONALD, Private Secretary.

I, James McDonald, of Auckland, in the Colony of New Zealand, Roman Catholic Grand Vicar, do solemnly and sincerely declare that I have not received any notice or information of the revocation by death or otherwise of the power of attorney from the within named Jean Baptiste François Pompallier mentioned and referred to in the within written deed: And I make this solemn declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand intituled "The Powers of Attorney Act, 1854."

JAMES McDONALD, Vicar-General.

Declared at the City of Auckland, in New Zealand, this  
fourth day of March, one thousand eight hundred and sixty-nine, before me

WM. INNESS TAYLOR, J.P.

The Deeds Register Office, Auckland, 29th March, 1869.

I hereby certify that the foregoing is a correct copy of the conveyance numbered 38,799, the same having been examined with the original instrument now lying in this office for registration.

JOSIAH BUTTRESS,  
Deputy Registrar.

## No. 8.

### REPORT of the DESTITUTE CHILDREN'S SCHOOLS COMMITTEE of AUCKLAND PROVINCIAL COUNCIL.

1. Your Committee, to whom was referred the duty of inquiring into and reporting upon "the present state and management of all endowed and unendowed institutions receiving aid from the funds of the Province for the education of orphan and destitute children; the amount of money so paid; how expended; also to consider the best method of utilizing the endowments for the benefit of the orphan and destitute children of both races of Her Majesty's subjects in these Islands," have to report that they have taken evidence on these subjects, which evidence they submit for the information of the Council.

2. Your Committee confined their inquiries to the following institutions, viz., St. Mary's College, North Shore; Three Kings Institution; St. Stephen's School, Parnell; the Orphan Home, Parnell; and the schools in charge of the Sisters of Mercy, at Mount St. Mary's, Auckland.

3. Your Committee refrain, as far as possible, from expressing any opinion on the past management of the three endowed institutions—St. Mary's, North Shore; St. Stephen's, Parnell; and the Three Kings School. It would, however, appear from the evidence, which has been fully and accurately taken, that none of these institutions at present fulfil all the conditions of the trust. The valuable endowment at the North Shore is nearly unproductive, the rents being little more than sufficient to pay the interest on a sum of £600, which the Right Rev. Bishop Pompallier charges against the endowment. How this debt was contracted does not appear. The College buildings, which were erected principally out of money granted for the purpose by the New Zealand Government, on the private estate of the Right Rev. Bishop, appear to have been seized and advertised for sale, with four acres of land, by the Sheriff, to satisfy a judgment debt against Bishop Pompallier. The evidence discloses the facts, and your Committee would recommend that some action be taken to prevent the alienation of this property.

4. Your Committee are of opinion that the present management of St. Mary's Trust is a great improvement upon what it was formerly. The filthy condition of the children, when the present Manager took charge, cannot be overlooked by your Committee; and it is the strongest proof of the utter neglect of the orphan and destitute children of European parents in the institution. It is

impossible to suppose that the Managers of St. Mary's College at that period in any sense whatever complied with the conditions of the trust. Owing to the want of funds, and the leasing of the estate for long terms at very low rents, the Manager is now unable to admit orphans and destitute children, unless almost wholly maintained from the public funds, and therefore entirely fails to carry out the intention of the trust.

5. The St. Stephen's endowment, at Parnell, consisting of over sixty-two acres of valuable suburban land, does not appear to have been administered as it ought to have been, inasmuch as it is stated in evidence that the income never kept the buildings in repair. Valuable buildings have been erected on this estate at the public expense, and at the present time there are four inmates who are simply boarders.

6. As in the case of St. Mary's College, the Managers of St. Stephen's School have received from time to time considerable sums of money out of the public funds for the maintenance of Maori and Half-caste children; but, unlike the former institution, European children do not appear to have been admitted to St. Stephen's. The evidence will show that the present condition of the institution is not satisfactory.

7. The Three Kings Institution resembles the North Shore College in its management. In the case of the Three Kings Institution there is a valuable landed estate, leased for twenty-one years, at an annual rental of £250. Of this rental, £100 a year is claimed by the Chairman of the Wesleyan Mission as interest on advances said to have been expended in managing the school. There is no other source of income, so that, when the salaries and maintenance of the matron and two female teachers are deducted, there is only a trifle left for the orphan and destitute children. In fact, the Three Kings Institution at present all but fails to fulfil any of the conditions of the trust. European children have been admitted to this institution, as at St. Mary's College, by order from the Provincial Government, for whom a capitation allowance was paid. The evidence discloses the fact that the children at the Three Kings Institution, about two years ago, were in a filthy and diseased state through neglect and want of proper nourishment. Owing to the exertions of Mr. W. Arthur, who took the management at that period, the children were restored to health and kept cleanly in their persons. It does not appear that much practical industrial instruction was given to the children of the Three Kings Institution. The buildings on the estate were erected out of grants made by the Government.

8. From the facts disclosed on this inquiry, your Committee are of opinion that the best thing to do is to procure a legislative enactment, vesting the three endowments already named in lay trustees, for the purpose of carrying out the original intentions of the grantor. Practically, the valuable landed estates in question, with the buildings erected at the public charge, are not in any sense providing "for the maintenance and education of children of both races, and of children of other poor persons being inhabitants of the islands of the Pacific," for which these endowments were set apart; and it does not appear that any good at all commensurate with the expenditure has been done since their foundation, notwithstanding the large annual subsidies from the public purse. Your Committee are of opinion, therefore, that the time has come when the Legislature of the Colony ought to interfere and rescue these endowments for the benefit of that large and increasing class for whose maintenance and instruction they were originally set apart. A careful perusal of the evidence taken by your Committee will show that a very considerable revenue might be obtained from these trust estates; and that they are now almost, if not altogether, unproductive, so far as the maintenance and instruction of children are concerned.

9. Your Committee cannot avoid contrasting the marked superiority of these charitable institutions maintained by public subscription in Auckland (so far as the order of reference enabled them to pursue the inquiry) over the richly endowed institutions before referred to. These remarks apply to the Parnell Orphan Home, built on six acres of land leased from the Trustees of St. Stephen's School for twenty-one years at a nominal rent, and to the Sisters of Mercy's School, Mount St. Mary's, Freeman's Bay. The last-named institutions reflect the highest credit on their conductors, and show what may be accomplished with comparatively little means by judicious management. The state of the endowed institutions reflect anything but credit on the management.

10. Your Committee recommend that this report, with minutes of evidence and appendix, be printed, and a copy forwarded to His Honour the Superintendent for transmission to His Excellency the Governor.

February 16, 1869.

WM. SWANSON,  
Chairman.

### No. 9.

MEMORANDUM from DEPUTY AUDITOR as to PAYMENTS made by GENERAL GOVERNMENT on account of NATIVE SCHOOLS.

THE accompanying Return, showing the amount of expenditure on account of Native Schools, from January, 1846, to the end of December, 1868, has been compiled from the books in the Audit Office. As these books only contain abstract entries, details of the expenditure on buildings, &c., cannot be given. This could only be done by reference to the vouchers for the past twenty years, which would be a work of very great labour, as, for want of a suitable place of deposit, most of them have been stowed away in the loft over the Treasury rooms in the Government Buildings. The following extracts, however, from the Report of the Inspectors who in 1853 were appointed to examine into the condition of the schools show that considerable sums of public money were paid for Native School buildings, and also that the School estates in the three cases quoted were granted by the Governor out of Crown lands.

*"St. Mary's College.*

"The College building was erected with funds supplied partly by the Government, partly by the Roman Catholic Bishop.



“ The College estate consists of about 500 acres—376 acres 2 roods 12 perches of which were granted by the Governor-in-Chief.

“ The sums granted by the Government have been as follows :—

						£	s.	d.
“ In 1850	...	...	...	...	...	685	0	0
1851	...	...	...	...	...	560	0	0
1852	...	...	...	...	...	530	0	0
						1,775	0	0
From the Roman Catholic Bishop	...	...	...	...	...	382	4	9½
						£2,157	4	9½

—which total represents the whole outlay on the College during the three years 1850–2, including the board, clothing, and tuition of the pupils, repairs of buildings, and farming expenses.”

“ St. Stephen’s School, Auckland.

“ The School-house was erected by funds supplied by the Government, and the 62 acres 1 rood 2 perches which belong to the school were granted by the Governor-in-Chief. . . . The amount of Government aid to the school was—

						£	s.	d.
“ In 1850	...	...	...	...	...	220	0	0
1851	...	...	...	...	...	200	0	0
1852	...	...	...	...	...	200	0	0
						£620	0	0”

“ Three Kings School.

“ The School buildings were erected with funds supplied by the Government. Also the School estate, consisting of 759 acres, was granted by the Governor-in-Chief.

“ The annual income is made up of—

						£	s.	d.
“ Grant from the Government...	...	...	...	...	...	666	0	0
Grant from the Wesleyan Missionary Society	...	...	...	...	...	225	0	0
						£891	0	0

\* \* \* \* \*

“ The cost of the large school-room (£610) has been defrayed out of the grants of the last three years.”

Audit Office, Wellington, 22nd May, 1869, WILLIAM SEED,  
Deputy Auditor.

Enclosure in No. 9.

RETURN of PAYMENTS on account of NATIVE SCHOOLS, from January, 1846, to December, 1868.

Year.	Church of England.	Church of Rome.	Wesleyans.	Church of England, Church of Rome, and Wesleyans.	Remarks.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1846	200 0 0	60 0 0	40 0 0		
1847	200 0 0	60 0 0	40 0 0		
1848	1,150 0 0	1,075 0 0	1,056 0 0		
1849	1,417 0 0	495 0 0	947 0 0		
1850	2,025 10 0	840 0 0	1,499 10 0		
1851	1,034 0 0	560 0 0	706 0 0		
1852	1,399 19 5	610 0 0	1,306 0 0		[for buildings.
1853	*4,026 7 0	747 10 0	872 12 6		* Included, £618 16s. 1d.
1854	1,360 5 3	231 5 0	283 12 6	†975 0 0	† Roman Catholics and
1855	...	...	...	3,150 0 0	Wesleyans.
1856	...	...	...	5,545 0 0	
1857	...	...	...	4,573 0 0	
1858	...	...	...	4,569 5 0	
1859	2,025 0 0	750 0 0	1,200 0 0	1,134 12 9	
1860	2,275 0 0	752 14 10	1,200 0 0		
1861	638 4 7	232 8 11	398 16 1	...	For December quarter only.
1862	3,198 4 8	791 11 8	1,427 16 8		Records of other part of
1863	2,928 9 8	1,099 4 4	1,622 10 0		year lost in “ White
1864	1,825 19 5	391 0 3	1,476 2 1		Swan.”
1865	1,043 9 8	415 17 1	1,804 4 8	...	Includes allowance to end
1866	511 7 8	90 16 9	129 0 9		of June, 1866.
1867	931 15 10	274 7 9	1,451 1 5		
1868	1,158 17 11	531 6 9	828 18 6		
	29,349 11 1	10,008 3 4	18,289 5 2	19,946 17 9	TOTAL.....£77,593 17s. 4d.

Audit Office, Wellington, 22nd May, 1869. WILLIAM SEED,  
Deputy Auditor.

## No. 10.

Mr. Commissioner HEALE to Commissioners HART and GISBORNE.

GENTLEMEN,—

Auckland, 17th April, 1869.

I have the honour to forward some evidence I obtained from Mr. Brown, in the unavoidable absence of Mr. Mackay and of Mr. Braithwaite. [Enclosure No. 1.] This evidence with the paper accompanying it [Enclosure No. 2] show the present state of the Hostelry Reserves; the particulars as to rent received, the nature of the management, expenses, &c., I will obtain from Mr. Mackay as soon as he returns to town.

I also send copy of the conveyance of the St. Mary's College property from Billingham to Dr. Pompallier. [Enclosure No. 3.]

The Rev. Mr. Buller has furnished me with a memorandum of Expenditure at the Three Kings. [Enclosure No. 4.]

The Rev. Mr. Burrows also has furnished the information required concerning the occupation of the Te Awamutu School property, and has corrected a small error in his former evidence [Enclosure No. 5.]

I have also obtained from Mr. Sinclair a complete statement of the position of all the grants, new and old, made for purposes within the scope of the Commissioners' functions, in the confiscated lands. [Enclosure No. 6.]

From the papers it will be seen that, on application of the Bishop of New Zealand, the Crown Agent, Mr. Mackay, relinquished the Crown's right over the five estates previously granted in trust to the Bishop with others; by this relinquishment it seems to be assumed that the old Crown Grants are re-established in their validity.

The correctness of this view seems to me open to doubt. It will be seen from the accompanying tracings that the boundaries shown on the old Crown Grants are so very imperfect and conflicting that it would, in any case, be far more prudent for the trustees to surrender the old grants as cancelled, and for new ones to issue after survey, with correct boundaries, descriptions, and areas.

I have, &amp;c.

Robert Hart, Esq.,  
William Gisborne, Esq., } Commissioners.

THEOPH. HEALE,  
Commissioner.

## Enclosure 1 in No. 10.

THURSDAY, 15TH APRIL, 1869.

Mr. *George Brown*, being duly sworn, states: My name is George Brown. I reside at Auckland. I am Interpreter to the Civil Commissioner's Office in Auckland. Mr. Edward Braithwaite is the chief clerk of that department; he is very ill, and quite unable to attend. Mr. Mackay is at Shortland; he was to have come to town two or three days ago. I know he is unable to come owing to severe illness. I hand in for inspection four Crown Grants, viz.—

1. Being allotment No. 9 of section 9 in the Town of Auckland, containing 2 acres 14 perches. I believe the Native Hostelry stands on this allotment.
2. Being No. 4 of section 12 in the City of Auckland, containing 2 roods 15 perches.
3. Allotment 189 of section 1 in the Suburbs of Auckland, containing 6 acres 1 rood.
4. Allotment No. 11, section 20, Village of Onehunga, containing 2 acres 9 perches.

I have here a quantity of papers relating to these Crown grants. From these papers I see that a piece ( $\frac{1}{4}$  acre) of Native reserve (1) in Mechanics' Bay was leased to Hunter and Son, for a term of five years, at a yearly rental of £20, to commence from 1st April, 1868; and another piece of the same reserve, containing  $\frac{1}{4}$  acre, was leased to Archard and Brown at the same rent and for the same term. I do not know of any other portion of that allotment being let. I can state nothing with regard to the second piece, but believe it to be entirely unoccupied. The third piece in the suburbs of Auckland, I see from the papers, was leased to John Charles Blackett, for a term of 21 years from 9th June, 1852, at a rental of £13 per annum. I state these particulars from a report of Mr. Mackay's, made in July, 1866. I will furnish a copy of that report. The fourth piece, in the Village of Onehunga, I find from the papers, was formerly let to Mr. Hutchison, for a term of three years from 23rd December, 1864, at a yearly rental of £60. I believe this was given up by Mr. Hutchison some time ago. I think it is now unoccupied, but have no certain knowledge. I believe Mr. Braithwaite, in regular course, has to receive those rents. I believe he has received some, but do not know what. There is a European in the Native Hostelry in Auckland as keeper, but I do not know anything about its management.

GEORGE BROWN.

Minutes of evidence taken before me on the 15th April, 1869, in relation to Native Hostelry Endowments, in the absence, by reason of illness, of Mr. Mackay and Mr. Braithwaite.

THEOPH. HEALE,  
Commissioner.

## Enclosure 2 in No. 10.

Mr. MACKAY to the Hon. the NATIVE MINISTER.

SIR,—

Civil Commissioner's Office, Auckland, 27th July, 1866.

I have the honour to return herewith the four Crown Grants, and other papers, connected with the Hostelry Reserves at Auckland and Onehunga.

These reserves consist of 2 acres and 14 perches at Mechanics' Bay, 2 roods and 15 perches at Mechanics' Bay, 6 acres and 1 rood between St. George's and Judge's Bays, and 2 acres and

9 perches at Onehunga. The whole of these were, in the first instance, granted to Messrs. Sinclair, Swainson, and Shepherd, in "trust for the maintenance of lodging-houses, stores, or market-places for Natives and other poor persons." I will now briefly state the steps which appear to have been taken in respect of each of these reserves.

1st, The reserve of 2 acres and 14 perches at Mechanics' Bay on which the Native Hostelry stands. On the 20th April, 1854, Messrs. Sinclair, Swainson, and Shepherd conveyed this block to Colonel Wynyard, Messrs. Whitaker, Pollen, Gilfillan, and Boylan, and the Superintendent and Executive Council of the Province of Auckland. On the 15th October, 1865, Messrs. Whitaker, Gilfillan, and Pollen signed a reconveyance to the Crown. This does not appear to be completed, as, through the death of Colonel Wynyard and the absence of Mr. Boylan, their signatures are not attached. It would also seem, from the wording of the conveyance of the 20th April, 1854, that the trust is also vested in the Superintendent and Executive Council of the Province of Auckland for the time being; it therefore appears necessary that they should be parties to the reconveyance to the Crown.

This reserve, after making ample provision for the Native Hostelry, ought to produce a rental of £600 per annum. It is now occupied by several dealers in posts, rails, and firewood, who pay no rent, and who should be speedily removed if I had the power, as they are a great nuisance in many respects.

2nd, The reserve of 2 roods and 15 perches at Mechanics' Bay appears to be still in the hands of the original trustees (Messrs. Sinclair, Swainson, and Shepherd); a conveyance has been drawn out on the back of the grant, but does not appear to have been executed. I am not acquainted with this reserve, so cannot say what is its value.

3rd, The reserve, 6 acres and 1 rood, situated on the point of the cliff between St. George's and Judge's Bays, was, on the 20th April, 1854, conveyed by Messrs. Sinclair, Swainson, and Shepherd to Colonel Wynyard, Messrs. Whitaker, Pollen, Gilfillan, and Boylan, and the Superintendent and Executive Council of the Province of Auckland for the time being. On the 18th November, 1856, the last-mentioned gentlemen, together with Messrs. Williamson, O'Neill, and Buckland, members of the Executive Council at that time, reconveyed the land to the Crown.

This reserve was leased to John Charles Blackett, Esquire, for the term of twenty-one years from the 9th June, 1852, at a rental of £13 per annum. This lease has therefore seven years more to run. I should think the land in question would now let for £10 per acre.

4th, The reserve of 2 acres and 9 perches at Onehunga has been reconveyed to the Crown in precisely the same manner as the reserve of 6 acres 1 rood.

A Native Hostelry has been erected on the block which is leased to Mr. David Hutchison for a term of three years, commencing from the 23rd December, 1864, at a rental of £60 per annum. This reserve having a water frontage, and also that to two roads, is of considerable value, which would be enhanced by subdivision into allotments. I cannot state what the probable rental would be.

From the above statement, it seems that these reserves are in the following positions at present, viz. :—

The reserves at Onehunga and Judge's Bay have been reconveyed to the Crown.

The reserve at Mechanics' Bay, containing 2 acres and 14 perches, is in a transition state; it is neither vested in the Crown nor in the trustees.

The small reserve at or near to Mechanics' Bay appears to be still vested in the original trustees, Messrs. Sinclair, Swainson, and Shepherd.

On referring to "The Auckland Hospital and Grammar School Reserves Act, 1856," I find that certain lands granted for endowments for the above purposes were vested in trustees, and were conveyed from the original trustees to others. Doubts appear to have arisen as to the validity of the Crown Grants and conveyances, and, in consequence, the above-recited Act was passed by the General Assembly. If these grants were invalid, the same rule applies to those of the "Hostelry Endowments," which apparently were of a like nature. It would therefore seem necessary to legislate in this case. I presume that the reconveyance to the Crown was not intended to be absolute, as the Native Hostelry is situated on one of the reserves partially reconveyed, but that this step was taken with a view to new Crown Grants being issued, and new trusts erected.

I would most respectfully point out that, in my opinion, there is a decided objection to the lands being re-granted, subject to a trust, for the benefit of both Europeans and Natives. I would therefore beg to suggest that the lands should be divided, a portion being placed in the hands of a Commissioner of Native Reserves for the benefit of the Natives, and the remainder to be granted to the Superintendent for the benefit of poor persons of the European race. As I am not aware of any other provision having been made for Native purposes within the City of Auckland, I would beg to recommend that the largest proportion of the lands should be granted to the Native trust; perhaps the following proposal would be a fair one :—

That the piece containing 2 roods and 15 perches should be granted to the Superintendent.

That 1 rood and 14 perches of the piece containing 2 acres and 14 perches should be granted to the Superintendent, and that 1 acre and 3 roods should be placed in the hands of the Commissioner of Native Reserves.

That 2 acres and 1 rood of the St. George's Bay Reserve should be granted to the Superintendent, and that 4 acres should be handed over to the Commissioner of Native Reserves.

That 2 roods and 20 perches of the Onehunga Reserve should be granted to the Superintendent, and 1 acre 1 rood and 19 perches should be handed over to the charge of the Commissioner of Native Reserves.

I believe that if these reserves were properly managed an income would be produced which could be expended so as not only to maintain the Native Hostelry in thorough repair, but to remunerate a medical officer, relieve destitute and infirm Natives, and also pay a portion of the

salaries of the officers charged with the management of Native matters at Auckland. I hope that, in this report, I have not trespassed beyond my proper sphere of duty in making suggestions which should possibly have been discussed with His Honour the Superintendent before submitted to you. If I have done so, it is from a desire to prevent the great loss which is at present sustained by these valuable reserves lying idle and unproductive.

I have, &c.,

JAMES MACKAY,

Civil Commissioner.

The Hon. the Native Minister, Wellington.

NOTE.—Mr Mackay's evidence, page 48, shows steps taken in reference to these lots.

### Enclosure 3 in No. 10.

CONVEYANCE by Mr. and Mrs. BELLINGHAM to Bishop POMPALLIER.

THIS Deed, made the twelfth day of July, one thousand eight hundred and fifty-two, between William Bellingham, of Auckland, in the Territory of New Zealand, settler, and Maria Bellingham, his wife, of the one part, and Jean Baptiste François Pompallier, of the same place, Roman Catholic Bishop of Auckland aforesaid, of the other part: Whereas by Crown Grant dated the eighth day of March, one thousand eight hundred and forty-five, under the hand of Robert Fitzroy, Esquire, Governor and Commander-in-Chief of the said Territory and its Dependencies, and under the seal of the said Territory Her Majesty Queen Victoria did grant unto the said William Bellingham, his heirs and assigns, all that allotment or parcel of land therein and hereinafter described, being suburban allotment number seventy-seven: And whereas the said Jean Baptiste François Pompallier hath contracted with the said William Bellingham for the purchase of the said allotment of land for the sum of one hundred pounds sterling: And whereas the said Maria Bellingham hath agreed to release her title to dower out of the said allotment of land, and for that purpose to join in the conveyance thereof: Now this deed witnesseth that, *in consideration of the sum of one hundred pounds sterling paid by the said Jean Baptiste François Pompallier to the said William Bellingham* (the receipt whereof is hereby acknowledged), the said William Bellingham doth hereby convey and assure, and the said Maria Bellingham doth remise, release, and for ever quit claim unto the said Jean Baptiste François Pompallier, *all that allotment or parcel of land in the said Territory, containing by admeasurement nineteen acres three roods and thirty-nine perches more or less, situated in the Parish of Takapuna, County of Eden, suburban allotment number seventy-seven*, bounded on the north-east by a road seven hundred and forty links, on the south-east by a creek, on the south by a creek, and on the north-west by lot number seventy-six two thousand six hundred and eighty links, as the same is more particularly delineated by the plan thereof drawn in the margin of this deed marked A, together with all buildings and improvements thereon being, and all others the rights and appurtenances thereto belonging, and also the hereinbefore in part recited deed of grant, *to hold the said allotment of land and premises, with the appurtenances, unto and to the use of the said Jean Baptiste François Pompallier and his successors, Roman Catholic Bishop of Auckland aforesaid, and his and their assigns, for ever.* In witness whereof the said parties have hereunto subscribed their names.

WILLIAM BELLINGHAM.

MARIA BELLINGHAM.

Signed by the said William Bellingham and Maria Bellingham  
in the presence of

L. O'BRIEN, Solicitor, Auckland.

THOMAS RUSSELL, Solicitor, Auckland.

This Deed, marked A, was on this day produced before us, and acknowledged by Maria Bellingham, wife of William Bellingham therein named, to be her act and deed, previous to which acknowledgment the said Maria Bellingham was examined by us separately and apart from her husband, touching her knowledge of the contents of the said deed, and declared the same to be freely and voluntarily executed by her. Dated the twelfth day of July, one thousand eight hundred and fifty-two.

THOMAS RUSSELL, a Commissioner, &c.

L. O'BRIEN, a Commissioner, &c.

### Enclosure 4 in No. 10.

Copy of a Letter from Mr. JAMES BULLER to Mr. T. HEALE.

SIR,—

Auckland, 9th April, 1869.

I have the honour to send you such information as I possess in answer to several questions which were proposed to me by Mr. Gisborne in his memo., as follows:—

1. A rough estimate of amounts of public money granted to the Three Kings Institution, and for what objects expended?

In my evidence I think I stated that probably about £4,000 of public money had been granted at sundry times. The documents in my possession do not date further back than 13th May, 1853. I have looked carefully over these, and can find an entry only of £200, which was expended in the completion of dormitories in the year 1855. Beyond this sum, the annual appropriation was for the maintenance of the school. The buildings and other improvements were chiefly erected previous to the above named date, and it was in such objects that the said grants of money were expended. On reconsideration, I am of opinion that I formed my estimate at a much greater amount than was actually received.

2. A return of the receipts and expenditure for the last three years on the Three Kings institution?

1866.				<i>Income.</i>	<i>Expenditure.</i>
General Government capitation money	...	...	...	£324 8 7	£1,381 15 8
Provincial " "	...	...	...	456 2 11	
Net proceeds, farm	...	...	...	365 6 1	
Donations and fees	...	...	...	6 16 8	
Rent Native Institution	...	...	...	50 0 0	
					1,202 14 3
Deficiency	...	...	...	...	£179 1 3
1867.				<i>Income.</i>	<i>Expenditure.</i>
General Government capitation money	...	...	...	£207 7 5	£947 8
Provincial " "	...	...	...	376 8 8	
Farm	...	...	...	221 18 3	
Donations, &c.	...	...	...	8 0 0	
Rent Native Institution	...	...	...	50 0 0	
					863 14 4
Deficiency	...	...	...	...	£73 14 4
1868.				<i>Income.</i>	<i>Expenditure.</i>
General Government capitation money	...	...	...	£31 1 1	£433 16 1
Provincial " "	...	...	...	161 17 6	
Farm	...	...	...	67 14 8	
Rent of farm one quarter	...	...	...	62 10 0	
Rent Native Institution	...	...	...	30 0 0	
Fees	...	...	...	5 0 0	
					358 3 3
Deficiency	...	...	...	...	£74 12 10
Deficiency on 1866	...	...	...	...	£179 1 5
" 1867	...	...	...	...	73 14 2
" 1868	...	...	...	...	74 12 10
					£327 8 8
Paid by the Missionary Society to reduce overdraft at the bank in October, 1868	...	...	...	...	234 4 8
Balance to Dr.	...	...	...	...	£82 3 9

### 3. A statement of the claim by Mission of £4,000 against the estate of the Three Kings?

In the absence of detailed accounts I am unable to specify the exact amount of Mission money expended from time to time, but I know that the buildings were erected and the farm was made partly by grants of money from the Government, and to a great extent by funds supplied by the Missionary Society, besides which for many years the Mission paid the whole stipend of the minister whose services were devoted to the management of the institution, and I believe that my estimate is far below the amount which has been thus expended.

I have, &c.,

JAMES BULLER,

To T. Heale, Esq., Commissioner, &c.

Chairman of the Wesleyan Mission, &c.

### Enclosure 5 in No. 10.

MINUTE of Additional Evidence by the Rev. R. BURROWS.

DR. WADDINGTON is the sub-lessee of the School Estate at Te Awamutu, with the exception of the large building, and about thirteen acres of land about it; he is also the occupant of the last portion and building, under an agreement by which he is to hold it until the termination of the lease of the large estate, at a rent of £6 10s. per annum. I think I mentioned £12 as the rent; I find on reference to the book that he is only to pay ten shillings per acre for the land, and nothing for the house; the house being large and of little use, he in fact was put in occupation chiefly for its preservation.

I give this as part of my evidence.

ROBERT BURROWS.

Auckland, 17th April, 1869.

THEOPH. HEALE, Commissioner.

### Enclosure 6 in No. 10.

MEMORANDUM for the information of the Commissioners appointed to inquire into the present state of Trust Grants for Religious, Charitable, and Educational Purposes.

THE accompanying statement contains particulars respecting all the lands in the Waikato District which had been granted for religious, charitable, and educational purposes, prior to the passing of "The New Zealand Settlements Act, 1863."

The last two reserves mentioned in the Waikato District, and the four in the Auckland District, are, I believe, awards of the Compensation Court, for which grants have been authorised to be issued.

When I appeared before the Commissioners I was not aware that the Bishop of New Zealand had brought any claims before the Compensation Court. I have since applied at the Civil Commissioner's Office, and have obtained copies of the Bishop's Statement of Claims, and Mr. Mackay's relinquishment of the same on behalf of the Crown.

I regret to state that the plans of the Kohanga Grants are nowhere to be found; but I have obtained and attach hereto tracings from the marginal plans on the Crown Grants, which are in the charge of the Rev. Mr. Dudley at the Bishop's library.

The lines in red on the large tracing indicate the outline of grant of 280 acres laid down by me on a plan of recent survey.

The lines in yellow indicate the outline of the grant of 470 acres, as replotted from the marginal plan on the Crown Grant, to the same scale as the plan of recent survey. [Tracings not published.]

Accompanying are tracings showing the lands mentioned in the statement.

*Gazette* No. 48, of 12th August, 1868, contains the only other reserves in the Waikato District which have been notified as having been set apart for public purposes.

I give this as part of my evidence.

16th April, 1869.

A. SINCLAIR.

#### *Lands in the Waikato District granted for Educational and Religious Purposes.*

1. Awamutu School Grant, 173 acres 3 perches (1853).—Grant to the Church Missionary Society. Lot No. 323, in the Parish of Puniu. The description of the land in the Crown Grant is incorrect, but the boundaries indicated have been followed as nearly as possible, and the quantity of land set apart by recent survey is larger than that mentioned in the original grant.

2. Puniu.—Grant to the Bishop of New Zealand in trust for educational purposes. Lot No. 322, in the Parish of Mangapiko, containing 870 acres. The land described in the Crown Grant has recently been surveyed. The original boundaries have been followed, and the whole of the land remains uninterfered with.

3. Rangiaowhia, Church Site, 3 roods 22 perches.—A fresh draft grant has been prepared in favour of the Bishop of New Zealand in trust for religious, charitable, and educational purposes, for Lot No. 196a, Parish of Puniu, containing 2 acres 2 roods 32 perches, and probably the same has now been executed by His Excellency the Governor.

4. Rangiaowhia, Church Site, 1 acre 2 rood 14 perches.—A fresh grant has been prepared in favour of the Roman Catholic Bishop of Auckland, in trust for religious, charitable, and educational purposes, for Lot No. 188, in the Parish of Puniu, containing 6 acres 2 rood 8 perches.

5. Rangiaowhia, 191 acres, grant to the Roman Catholic Bishop of Auckland.—This land has been numbered 340, in the Parish of Puniu. A larger area than that mentioned in the grant has been reserved.

6. Hopuhopu, 1385 acres, granted to the Bishop of New Zealand for educational purposes.—The survey from which the grant was prepared was found to be inaccurate, but the original lines have been followed as nearly as possible, and the same area has been reserved.

7. Pepepe, 133 acres 3 roods, grant to the Bishop of New Zealand for educational purposes.—The boundaries of the land reserved differ slightly from those mentioned in the Crown Grant. The area is the same.

8. Kohanga School Grants, 280 and 470 acres.—The accompanying tracing show the discrepancies which exist between the lands described in the grants and recent surveys.

The Opuatia Grant to the Ngatitipa Tribe appears to include about 24 acres of the land described in the grant of 470 acres. The portion tinted pink containing about 235 acres, included in the same grant, forms a portion of a block of 700 acres which has been awarded as compensation to Nini and Hori Kukutai.

9. Maratai, 168 acres.—An encroachment was contemplated on this block by the original design for the town of Port Waikato, but the limits of the town have now been so much diminished that no infringement may be required.

10. Rangiriri, 1 acre 2 roods, Lot No. 108.—Grant prepared in favour of the Bishop of New Zealand, in trust for religious, charitable, and educational purposes; not yet issued.

11. Whangape, 3 roods.—Same as Rangiriri.

#### *Auckland District.*

12. Ihumatao, 6 acres 2 roods, Lot No. 169a.—Grant prepared in favour of Chairman of Wesleyan Missions. Trust clause to be filled up at Wellington. Grant not issued.

13. Pukaki, 5 acres 3 roods 30 perches, Lot No. 154.—Grant prepared in favour of the Bishop of New Zealand, in trust for religious, charitable, and educational purposes.

14. Village of Mangere, Church Site, 3 acres, Lot No. 10.—Grant ordered to be prepared in favour of the Bishop of New Zealand, for religious, charitable, and educational purposes. Before preparing the draft grant I found, on inquiry, that a grant for this allotment had been prepared at Wellington, and issued in favour of Honana Maioha, Matiri Toha and Tutere te Aho.

#### *Opotiki District.*

15. Opotiki, Church Site, 1 rood 32 perches, Lot No. 49.—Grant prepared in favour of the Bishop of New Zealand, for religious, charitable, and educational purposes. Grant not yet issued.

16th April, 1869.

A. SINCLAIR.

## Sub-Enclosures.

SIR,—

Civil Commissioner's Office,  
Auckland, 9th April, 1869.

I have the honour to forward for your information a copy of a letter from the Lord Bishop of New Zealand to the Hon. the Colonial Secretary, requesting the exclusion of certain lands from the operation of "The New Zealand Settlements Amendment and Continuance Act, 1865," and also a copy of the relinquishment of the same by Mr. James Mackay as Crown Agent.

I have, &amp;c.,

A. Sinclair, Esq., Chief Surveyor, Auckland.

C. MARSHALL.

To the COLONIAL SECRETARY of NEW ZEALAND.

SIR,—

Ngaruawahia, 9th January, 1867.

I have the honor to request that the following estates held in Trust, under Crown Grant, by me and other co-trustees, under the powers vested in me by "The Bishop of New Zealand's Trust Act," may be excluded from the operation of "The New Zealand Settlements Amendment and Continuance Act, 1865," under the provisions of section 6 of the said Act.

						Acres.
Hopuhopu Estate, right bank	}	...	...	...	...	1,385
Pepepe Estate, left bank						
Kohanga Estate..	...	...	...	...	...	900
Puniu, near Te Awamutu...	...	...	...	...	...	900
Rangiaohia Church	...	...	...	...	...	1

I have, &amp;c.,

Mr. C. Marshall.

G. A. NEW ZEALAND.

Ngaruawahia, 10th January, 1867.

IN accordance with the provisions of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865," I do hereby, on behalf of the Crown, abandon and relinquish all claims, right and interest, to and over certain portions of the lands confiscated by the Governor by Order in Council of the 2nd September, 1865; that is to say, all those pieces or parcels of land situated at Hopuhopu, Pepepe, Kohanga Puniu, and Rangiaohia, as the same are granted to the trustees appointed under "The Bishop of New Zealand Trust Act."

Given under my hand at Ngaruawahia, this 10th day of January, 1867.

JAMES MACKAY, Jun.,  
Crown Agent  
(for the Colonial Secretary.)

Mem.—The land at Puniu and Rangiaohia was taken under an Order in Council dated 29th September, 1864.

## No. 11.

Mr. THEOPH. HEALE to Mr. ROBT. HART.

SIR,—

Inspector of Surveys' Office, Auckland, 7th May, 1869.

I have the honor to transmit the evidence obtained by me from Mr. Mackay respecting the Hostelry Reserves here and at Onehunga. Mr. Braithwaite's illness, and Mr. Mackay's absence and engagements, have prevented my obtaining it until now.

I have, &amp;c.,

Robt. Hart, Esq.,

THEOPH. HEALE.

Chairman of Commission on Trust Estates.

Mr. James Mackay being sworn, states: My name is James Mackay. I am Commissioner of Native reserves in Auckland. The first instructions I received respecting Native reserves was in October, 1867, at which time I was instructed to take charge of the Auckland and Onehunga Hostelry Reserves, viz.:—

No. 19, of section 9, containing 2 acres and 14 perches, in the Town of Auckland, on which the Native Hostelry stands.

No. 4, section 12, in the Town of Auckland, containing 2 roods 13 perches.

No. 89, section 1, Suburbs of Auckland, containing 6 acres 1 rood.

No. 11, section 20, Village of Onehunga, containing 2 acres 9 perches.

On entering on my duties, two of these reserves (Nos. 4 and 19) were occupied by several squatters, and some time elapsed before I could get rid of them. The last notice given to these squatters was on the 4th January, 1868. I then agreed to lease quarter of an acre of reserve at Mechanic's Bay to Messrs. Archard and Brown for five years, at £20 per annum, from 18th April, 1868, for a timber yard; and to Messrs. Hunter and Son another quarter of an acre, at same rate, for seven years from same date. I found one man on reserve No. 4, who said he had been on it twenty-three years, and I only succeeded in getting rid of him by threatening legal proceedings.

I believe that the 6-acre section, No. 89, has been leased to Mr. Blackett for twenty-one years, and has to run about three years more. I believe the rent has been paid to some agent in Auckland, but I have failed to discover the particulars; no rent has been paid to my department for this allotment. The only amount I have received for rent is £10 from Messrs. Archard and Brown.



The cost of maintaining the Hostelry has been very small. It has been chiefly defrayed out of fines inflicted for misconduct on Natives stopping at the Hostelry, which, by an arrangement made by Dr. Shortland, are payable to the keeper. The expense of firewood has been defrayed by the General Government. The Hostelry requires new shingling and painting, and the ground on which it stands would be the better for draining. At the present time there is not much demand for building allotments, and the best way to utilise this land would be to divide it into yards for firewood and timber. This would require a little outlay for surveys.

*Onehunga Reserve.*

Before my appointment, this land was leased to Mr. David Hutchison for a ship-building yard. He paid rents amounting to £120 which were received by me as Civil Commissioner; of them £117 4s. was paid to Mr. Salmon, under instructions from the Hon. the Native Minister, in payment of a debt due by Natives. The sum of £2 16s. was paid to Mr. Brookfield for expenses in recovering a portion of the above amount from Mr. Hutchison, who left the place in June, 1867. It has not been since occupied nor applied for by any one. There are some buildings upon it which might be rendered available for a Native Hostelry, which is required there. At the present time there is no demand at all for land, the place being partially deserted, owing to a large portion of the population having gone to the Thames.

Before 1867 there was some difficulty about the title to these reserves; but by "The Auckland and Onehunga Native Hostelries Act, 1867," this was set at rest as far as regards Nos. 11, 19, and 4, which were placed under my control. No. 89, containing 6 acres 1 rood, was not brought under the provisions of that Act, and remains under the original Crown Grant to certain trustees, which appears to have been reconveyed by them to the Crown; consequently I have no power to deal with this reserve. Probably Dr. Pollen, who was one of the original trustees, can give some information about the rent of this reserve.

JAMES MACKAY, Jun.

Taken before me this seventh day of May, 1869, at the  
Inspector of Surveys' Office, Auckland.

THEOPH. HEALE,  
Commissioner.

*Approximate Cost of Paper.*—Preparation, not given; printing (1,675 copies), £37 3s.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1898.

Price 1s. 3d.]

