

did you propose to keep that promise?—Ans.: I have no power by me. Ques.: What would you do if you had the power?—Ans.: I think a minimum of 14 acres a head, if I were a member of the Government, not as satisfying my own honour as a private individual."

That is the evidence of Mr. Mantell. I may say, as to the written instructions that he appears to have handed in to the Court, we are not able now to lay our hands on them: possibly they are buried in the parliamentary cellar with other Native papers. But the quotation given in the evidence there says, "You are only to mark out reserves around and including pas, residences, or cultivations to the extent that may be necessary for the resident Natives; but you may inform them that the Crown will hereafter mark out for them such additional reserves as may be considered necessary for their future wants." Those were the written instructions from the Governor to Mr. Mantell.

In the year 1888—twenty years after—a Joint Committee was appointed by Parliament, and the matter was gone into very thoroughly, and with an evident desire to try to arrive at some solution of the matter; but there was then, as there always seems to have been on the part of the Committees appointed, a shrinking—if I may respectfully say so—from earnestly tackling the question of the amount or quantum of compensation, for fear the result might be something that it would not be in the power of the country to satisfy. I need not say that on the present occasion we do not come before the Committee with the intention or expectation of obtaining what is unreasonable. We are not seeking to impose upon the Dominion anything that could be called extravagant. Well, this Committee took a great deal of evidence, for which I refer to parliamentary papers for 1888—I. 8. I quote from pages 87–93, various parts. Mr. Mantell again gave evidence. The Chairman asked him,—

"We are considering the Ngaitahu case. Do you adhere to the opinion which you have expressed in certain papers, documents, and correspondence, to the effect that the promises which largely induced the Ngaitahu Natives to cede their lands to you, as representing the Government, have not been fulfilled?—Ans.: They express my opinion at the time. When I made the statements I could speak confidently. I have not been in a position to know what has been done since; but it is impossible that the promises can have been fulfilled. Ques.: Am I right in understanding your view to be that these promises were for hospitals and schools, and the exercise of a general care and solicitude?—Ans.: Yes, you are quite right. I have with me an old document which might assist the Committee upon the subject. It will show the note which I made in 1861, which I will hand to you. Of course it will be returned to me."

He put in that note, and then he was asked,—

"In making the reserves that were promised, and which you allotted, what reason had you in making a distinction in the quantity allotted between the Maoris of different ranks?—Ans.: I scarcely understand your question. Ques.: Your award of reserves afterwards was on a uniform principle, was it not, as far as quantity?—Ans.: Yes, so far as quantity was concerned. You will find evidence given before the Native Land Court, as far as I can recollect, in which about 10 acres a head was looked upon as the correct award. I endeavoured to restrict the award to that amount in order to please the Government. But full evidence on that subject was given fully twenty years ago, before the Native Land Court. Ques.: When you say you desired to please the Government, do you mean that you endeavoured to make the best bargain for the Government that you could?—Ans.: I naturally desired to make the best bargain for the Government, because I looked to the Government for my future employment. Ques.: Have you ever formed any opinion as to the measure of relief that would satisfy the justice of the case from your point of view?—Ans.: I could express no opinion about that. Ques.: You have not formed any opinion?—Ans.: Not of late years, because I look upon the matter as past praying for. It is now, I think, impossible for any Government to satisfy the merits of the case compatibly with our institutions."

Then there is some other interesting evidence, which I will not weary the Committee with; but at question 157 there is this:—

"Then may we take it that the Natives never did have allotted to them the land which they were led to understand they would have?—Ans.: To say 'what I led them to understand' is vague, necessarily, for I was not in a position to make any distinct promises, but only a further provision, as provided in the Ngaitahu deed. Ques.: A further provision?—Ans.: Yes; that was left to His Excellency the Governor. Ques.: When the area of reserves, amounting in all to about 10 acres a head, was allotted to the Natives, do you think they realized how small that area was?—Ans.: They never failed to impress that upon me most energetically. They objected to give up the outlying cultivations which they had in use at the time, but which I required should be given up when needed for other purposes. The only consolation I could give on this point was that under the deed the Governor would make further provision. Ques.: In land?—Ans.: In land, simply speaking of the promises of further provision contained in the deed. Ques.: Why did you yourself not set aside larger areas?—Ans.: You mean, at that time? Ques.: At that time.—Ans.: I am afraid you do not see that I should have been incurring the displeasure of my official superior."

Then he goes on to relate how he stopped the Governor on one occasion from giving a large belt of country; and in subsequent evidence he emphasizes what I have already indicated was clearly Mr. Mantell's view—that in going down and making these reserves he not only paid no attention to the reservation of all cultivations, but cut off cultivated ground in order that he might be able to group the reserves. He not only paid no attention to the noble spirit in which the original instructions were couched—namely, that ample reserves should be made for the present and future