

The agreement of May, 1847, was the agreement by which at the same time that the Company gave up the Auckland land, the Company's Debt was to be charged on the whole colony. Such are the facts briefly stated so far as I now remember them.

5. You have no doubt of their accuracy, and I wont ask you to say that you have a very good memory. I believe they are correctly stated.

6. Are you aware of any other right of selection under the agreement of 1847? There was no right of selection under the agreement of 1847 except that the Company gave up any right to take up any land at Auckland. The Demesne lands of the Crown in the whole of the Southern Provinces were to be invested in the Company, including 1,300,000 acres, to which the Company's right was recognised by Lord Stanley in 1845, but then the agreement of May, 1847, provided for the repurchase of the estate of the Company by the imposition of a charge on the whole land of the Colony.

7. So that the Crown purchased an estate which only existed in the Southern Settlements by means of a charge on the whole colony, including of course the Northern Settlements? Yes, that is my view of the subject.

8. Will you be so good as to define what you mean by North and South? I should define North and South by the country to the Northward of Mokau, which was generally supposed to be the Northern boundary of the Southern Settlements.

9. By Mr. Porter: Was there in 1847, still time for sending out the emigrants according to the agreement of Lord Stanley? It was in time, because the Government had construed the three years to be from the time of selection under agreement, and the prohibition by Governor FitzRoy in March 1844 of the most valuable selections I had made in the town was the chief cause of the selection not being completed; and if the Government in England had considered the period lapsed, there would have been no necessity for the surrender of the Company in 1847.

10. The selections that were made, took place in 1844? In January, 1844, I believe.

11. Which were kept possession of by the Company till the time expired within which they ought to have sent out the emigrants according to agreement? Yes, I have already said to the injury of the Auckland settlers.

12. By Mr. King: In your opinion did the settlers of Auckland derive any benefit through the abandonment by the Company of its claims to land in Auckland? I should say to a certain extent they did, because the Company never heartily meant to colonize Auckland, and the surrender of its lands was to some extent a reparation of the injury which the lands being locked by the Company had caused to the settlers.

13. By Mr. Carleton—You said that a certain advantage was derived to Auckland by the abandonment of this right; might not this advantage have been of a negative character, the mere cessation of a disadvantage under which Auckland had been placed by the Company? Yes, and I also think that if the Company had retained the lands, they would very probably have sold a large proportion of it to absentees as they did in the other settlements which would have been a great injury to Auckland.

14. By Mr. Porter: Whether the colonising operations of the Company would not have counterbalanced to a certain extent the evils of sales to absentees? I don't think so, because I don't think they wished to colonise Auckland well. The whole thing was forced upon them by Government and they undertook it with reluctance.

15. By Mr. Mackay: Do you think that the land now to be acquired from the natives in the Northern Province ought to bear its proportion of the Debt now placed against the Colony by the Home Government, the funds for which purpose being derivable from the general revenue of the Colony?

Discussion ensued as to the propriety of this question, when

Mr. Mackay moved that the question be put to Mr. Bell.

Mr. Wortley moved as an amendment that the question referred to be not put, as being one requiring the expression of opinion upon the subject of enquiry before the Committee and therefore not suitable to be put to one of His Excellency's advisers.

Committee divided

Question put that Mr. Wortley's amendment be agreed to.

Ayes.
Messrs. Wortley,
King,
Porter,
Carleton.

Noes.
Mr. Mackay.

Mr. Bell's examination was then continued by Mr. Wortley,—