

mouth, one of the Company's settlements, when the company had both acquired land and laid out money, was made a part of New Ulster, upon that subject your evidence has been given to the Committee, which I believe you have seen. If so, will you be so good as to state your present impressions as to the means whereby New Plymouth became, by becoming part of New Ulster, technically excluded from the territory to which the Company's operations and claims were always confined, though morally forming a part of such territory?—I concur in the evidence on this subject given by a former witness, Mr. Whitaker, which I will now read to the Committee.

2. You think this a more satisfactory explanation of the circumstances than the supposition (which no doubt other circumstances as to the connection between the New Zealand and New Plymouth Companies might suggest, though erroneously) that in fact New Plymouth was not one of the New Zealand Company's settlements? Unquestionably.

The Honourable Mr. Whitaker examined.

1. By the Chairman: Have you been able to satisfy yourself as to why New Plymouth was not transferred from New Ulster to New Munster by the Governor in compliance with Lord Grey's despatch of 28th February, 1848. I find in a despatch dated 6th February, 1849, from Governor Grey to Lord Grey, the Secretary of State, the following paragraph, "Provided the introduction of representative institutions into these islands is likely to be for some time longer delayed, I can see no objection to the adoption of the boundary line between the Provinces of New Munster and New Ulster, which is proposed in your lordship's despatch of the 28th February, 1848."

2. What is your view of the bearing of that extract on the question? My view is, that the reason for the non-transfer had no relation whatever to the Company's debt; but as there was at that time some idea of introducing representative institutions into New Munster and not into New Ulster, the Governor objected to transfer a considerable native population to the former from the latter province, which would have been the case if New Plymouth had been transferred from New Ulster to New Munster.

3. Was not Governor Grey deeply impressed with the belief that the colonists would injure the natives whenever they should obtain the power to do so? Judging from some of his despatches, I should infer that he had some such apprehension.

4. Did he not recommend the suspension of the Constitution of 1846 on that ground principally? Yes.

5. Can you give the Committee any specific information as to the Company's own views of the line which was the proper northern boundary of their operations and interests? I can; it is stated in Lord Grey's despatch of 28th February, 1848, in the following words—"a line commencing at a point upon the west coast of the northern island lying to the north of the river Mokau, and continuing along the north side of the valley of that river in such a manner so as to include the whole of its basin to the summit of the mountain Rangitoto, continuing from the summit of Rangitoto to the summit of Tongariro, along the crest of the intermediate hills dividing the waters, and then continuing from the summit of Tongariro to a point on the east coast lying to the north of the river Ahuriri, in such manner so as to include the whole valley and basin of that river."

6. Does anything else seem to you as being likely to be useful to the Committee? I merely wish to verify a statement which I made to the Committee in my former examination in reference to the views taken of Auckland's liability to the Company's debt by some of the southern settlers. I find it reported to have been said, at a meeting of the Settlers' Constitutional Association at Wellington, held on the 7th January, 1852, to take into consideration the draft of a petition to Parliament protesting against the New Zealand Company's Debt, by Mr. Clifford, that the settlers had had no hand in contracting the debt, and therefore could not be justly called upon to liquidate it out of the general taxation of New Zealand; and if this were true in reference to the Southern Province, it was even more clearly evident that Auckland and the Northern Province had no right to be called on to pay a debt which, if it was proved had been fairly caused by the colonizing operations of the Company, had never been under the influence of such operations.

7. Does there appear to have been at the meeting any expression of dissent from that opinion? There was not. Mr. Clifford was the gentleman who, as is reported, in the unavoidable absence of Dr. Featherstone, proposed the first and principal resolution, which, as well as all the others, appears from the report to have been carried unanimously.

8. Have you seen a copy of a despatch from the Duke of Newcastle to Sir George Grey concerning the retention by His Excellency of certain monies accruing to the New Zealand Company from Auckland land sales, and if you have, be so good as to state to the Com-