

they wished to have. I think, if I recollect rightly, that it was an ancient burial-ground which was insisted upon, and ultimately conceded by Colonel Wakefield. They then proceeded to Dunedin, for the purpose of taking steps to form future town. Here again the Maoris insisted upon two reserves, to which Colonel Wakefield objected; and after two or three days' discussion, the Natives insisted upon Mr. Jones taking them back to Waikouaiti; and they did go back. Some few days afterwards, Colonel Wakefield sent to Mr. Jones entreating him to bring the chiefs again to negotiate with him, which he did, and pointed out to Colonel Wakefield that he had much better accede to the reasonable requests of the chiefs. "Topi" drew a plan of two reserves, and then handed it over to Colonel Wakefield, who acceded to the request that there should be reserves made for the Maoris. Mr. Jones always, when speaking to me on this subject, remarked that if the Natives were to draw up plans of the town, these reserves would always have appeared; but why they did not appear in Colonel Wakefield's plan he could not tell. Mr. Jones also stated that the reserve made for the Maoris by Mr. Mantell was much larger than the original reserves insisted on by the Maoris. Some years ago I suggested to the Superintendent of Otago to make a compromise with the Maoris and give them what they were entitled to. It was one of the conditions of sale that two reserves should be made in this locality. The Provincial Government erected a stone house on one of these reserves for use of Natives. I do not know whether land on which the house was erected is still a Maori reserve. My knowledge of these facts is derived from Mr. J. Jones, then acting as agent for both parties. I am not aware of any actual stipulation for these reserves in deed of cession, but consider there should have been. I do not know for what objects these reserves were made.

Hon. Captain  
Fraser.  
3rd Oct., 1872.

WEDNESDAY, 9TH OCTOBER, 1872.

TARE WETERE TE KAHU in attendance, gave the following evidence:—

Tare Wetere Te  
Kahu.  
9th Oct., 1872.

26. *Mr. Sheehan.*] Do you remember the time when Captain Symonds entered into negotiations for the purchase of land from the Natives of Otago?—Yes, I do remember the time.

27. Do you remember the conversation which took place on that occasion?—Yes, I heard what Colonel Wakefield and Captain Symonds said to us.

28. What was said?—Colonel Wakefield said, in presence of Tairaroa, Tuhawaiki, Karetai, and in fact to all then present, that he wanted to buy our land, and would be glad to hear the price of it. He was then asked where he wanted to buy land, and the following boundaries were agreed to:—To commence at Puhurehu, thence to Wakari, thence to Mangaatua, Popotunoa, Kaihipu, Pohuroa, Te Kohakaka, Tokata. This will be the inland boundary. The boundary by the coast line will commence at Puhurehu; thence to Pukekura, Poatiri, Okaihi, Taiari, Moturata, Hakinikini, Tokata. Then the boundaries of reserves were mentioned, and the Natives asked for a reserve at Port Chalmers, and the reserve was granted there by Colonel Wakefield and Captain Symonds. A reserve was then asked for at Dunedin, when Captain Symonds proposed to arrange it in this manner, that Maori and European land should be in alternate pieces, *i.e.*, Maori land, then European, then Maori, and then again European.

Colonel Wakefield then asked Mr. Scott, the interpreter, what the Natives were saying, and Mr. Scott was unable to inform him, so he sent for Mr. Clarke, who came, and talking then commenced again.

All the Natives now assembled to hear what was going on. It was then clearly stated that a Native reserve would be made at Dunedin or Otepoti, where it was absolutely decided that a reserve should be made. The lands on either side of Otepoti Creek marked A and C on tracing (made by witness) were reserved for the Natives by Colonel Wakefield. The intervening part marked B was to be European land; these reserves were made to draw up the boats on. Some time afterwards Mr. Kettle, the surveyor, came and commenced to survey the land. Mr. Park and Mr. Harrison were also surveying with Mr. Kettle, but they surveyed the European portion of the land.

Mr. Kettle himself said to us that the land at Otepoti was for us, and that the three houses upon the land were for our use. Mr. Kettle remained at Dunedin, and we lived in the houses when we found it convenient to do so. Our usual place was at the Otago Heads, but we divided the time, sometimes living in one place, then at others living in the houses I have just mentioned.

Shortly after this, two immigrant ships arrived from England, and the people took up quarters in Dunedin (town); other ships continued to come afterwards.

Mr. J. Jones then built a large house on that land marked B on the tracing.

Mr. Burns built a house partly on Maori land and partly on European land. After this came an iron vessel from England with the Messrs. Macandrew (two) and Reynolds. Mr. Kemp and Mr. Mantell then arrived from the North Island. When Mr. Mantell came, we said to him "We want a house built on our land." He then said to us "Your land is there, at Pellichet Bay." We then objected, and said to Mr. Mantell that the land at Pellichet Bay was not reserved for us by Colonel Wakefield, and pointed out to him that the reserve Colonel Wakefield made for us was at Otepoti. Mr. Mantell understood what we meant.

Mr. Kettle, after this discussion took place, informed us that we were to consider the house formerly used as the Survey Office as our own. We, acting on this information, occupied the house when we came up for market purposes.

On one occasion, when we were living at the Otago Heads Settlement, a European was put in possession of the house; and when we came up to use it we were told to go to the police barracks, which is also upon the Native reserve. We were told by Mr. Kettle to go to the police barracks. The Maoris afterwards asked for a stone house, which was then built on their land at Otepoti. When finished, we occupied it alternately with our place at Otago Heads.

This house was afterwards smashed to pieces by the Europeans soon after the discovery of gold.

It was about this time that a Crown grant was fraudulently issued, of which we knew nothing until a short time before the sitting of the Native Land Court at Dunedin, when Mr. Fenton showed