

circumstances of the case. I felt alarmed at the action he had taken, and suggested that he should stop further operations. He represented to me that to stop operations would have a most injurious effect, and would bring the Government into contempt in the estimation of the Natives. Under these circumstances, I told him I would decline to interfere to stop him on the part of the Government. He issued the warrant on his own authority, and upon information which had been laid by Mr. Jackson, the Provincial Surveyor.

41. Mr. Jackson was in the service of the Provincial Government?—Yes. In the course of further conversation with Mr. Buller, I declined to interfere so as to make the General Government in any way responsible. The next day I was going on to Rangitikei, and Mr. Buller was going there to execute the warrant, and drove out with me. I waited at a hotel, four miles off, while he proceeded to carry out his programme. I stopped at the hotel to hear the result. Mr. Buller arrested Miritana, and he came in immediately afterwards and told me what had been done. In point of fact, instead of the General Government being charged with responsibility in the matter, the facts of the case will show that it was exactly the other way. In the Cabinet we had had, previously, discussions in reference to the Manawatu dispute generally, and strong remonstrances were offered by more than one member against the General Government mixing itself up in the Manawatu difficulty. On more than one occasion afterwards, more especially when in Auckland, considerable discussion took place on the subject between myself, Mr. Vogel, and Mr. McLean, and that was the view they expressed. I am now going to advert to another point, which has a very considerable bearing upon the case. When the Land Court, sitting here, made its final award in favour of Dr. Featherston's purchase, Dr. Featherston came to me and said that I should now issue the Proclamation, handing over this district to the Provincial Government. I pointed out to him that the proper course for him to pursue was to have the reserves indicated by the Court laid off on the ground, before the Provincial Government attempted to take possession. Dr. Featherston disagreed with that view, and a warm discussion occurred. I handed the matter over to my colleagues, more especially to Mr. Gisborne. From that time I took no further action in the matter, although I hold myself officially and personally responsible with them for any action taken by my colleagues. Had Dr. Featherston, who was then acting as Superintendent of the Province, been guided by my advice, I think the matter would have been settled differently.

Mr. HALCOMBE made the following statement:—The surveys and reserves were placed in Mr. Buller's hands, and I believe the evidence will show that this was done with the consent of the General Government. As Provincial Secretary at this time, I knew that we had not the slightest control, nor did we exercise any control, over the actions of the surveyors. These actions were entirely controlled by Mr. Buller, in whose hands the whole staff had been placed. To such an extent did he exercise that control, and move them about from one place to another, that the surveyors themselves found fault, and threatened to leave the service. Mr. Buller acted as Commissioner entirely independently of provincial control. I believe the surveyors were placed under him by consent of the General Government.

Hon. Mr. Fox resumed:—In the Miritana affair, Mr. Buller acted upon information laid before him as a Magistrate. Dr. Featherston acted both as Superintendent of the Province and as Land Commissioner. The moment the Land Court adjourned, he got hold of Mr. Buller, and went up into the district to mark off the reserves. He said, "Here's your land, and here's our land," and the General Government had nothing whatever to say to that. In that way Mr. Buller came to find himself in charge of the provincial surveys, and not from any direct instructions received from the General Government, as far as I am aware.

42. *Mr. Speaker.*] The arrest of Miritana, then, was not an act done by order of either the General or Provincial Government, or apparently with the previous consent of either?—It was done by Mr. Buller as a Resident Magistrate, on the information of Mr. Jackson, unknown to either Government, as far as I know.

43. Was Mr. Buller in communication with Mr. McLean at this time?—No. Mr. McLean was greatly opposed to the arrest of Miritana when he heard of it. I never heard anything about the matter until the warrant had been issued and an attempt made to put it in force. As far as we knew the circumstances, Mr. Buller's action was that of a Magistrate acting upon information received.

44. Was McDonald arrested at the same time as Miritana?—No; he was not in the district at that time. The information against McDonald was authorized by the General Government. He was fined £30. He did not refuse, like Miritana, to obey the summons, and therefore no arrest was necessary.

45. Then neither you nor the other Ministers were concerned in the action taken against Miritana?—Certainly not, that I am aware of, before the issue of the warrant.

46. You say that in all the communications which took place between yourself and the Provincial Government, no reference was ever made to any claim for compensation about to be advanced against the General Government for Mr. McLean's reserves?—I am quite certain that no sort of condition was ever suggested. It was simply arranged that Mr. McLean should go, and he was left absolutely and entirely unfettered. Had it been otherwise, I am quite sure he would have had nothing at all to do with it.

47. Am I then to understand that you thought the Provincial Government was to abide by the result of his action in the matter?—Undoubtedly that is the case. I will even go a little further in the matter. I am not betraying any confidence, at the same time I wish to put it as