

142. Is it correct to say that Mr. Whitaker is to be compensated by Tarapipipi, in land or in money, at the rate of 5s. an acre, in consideration of his having settled with these Natives for the Puninga Nos. 4 and 5 Blocks?—Just so.

143. How much money has Mr. Whitaker paid or advanced in order to extinguish the rights of these people?—I do not know.

144. Is the excess of acreage that Mr. Whitaker has to get over his claim on Hay's Block represented by 2,000 or 4,000 acres?—Something like 4,000 acres.

145. Which he will obtain at a price of _____?—I do not know.

146. Is he not going to get that excess of acreage in consideration of having paid 5s. an acre for extinguishing the title?—Yes. He will get it for carrying out Tarapipipi's exchange with the Ngatimatara.

147. *Mr. Wakefield.*] You said that Mr. Whitaker did not complete the transaction with Fraser?—I know he did not, because Fraser told me.

148. Mr. Whitaker paid back the money that had been paid him?—Fraser told me he had.

149. Why did he not complete the transaction?—Because he could not get a title himself. Fraser told me that Whitaker was to give him a title by a certain time. He went to America, I think, and when he came back he found that Whitaker could not carry the arrangement out, and then they came to some arrangement between them, by which Fraser was repaid the money. Fraser and Whitaker have told me so.

150. This piece between Ohaine Creek and the river still belongs to the Natives?—Part of it belongs to the Government and part to the Natives.

151. Am I to understand that, owing to the transaction between Whitaker and Fraser not being carried out, the Government have acquired a title over part of the 3,000 acres?—No. This was acquired by Drummond Hay in 1854, or thereabouts.

152. Did the Government agree to give that old purchase to Whitaker as part of the exchange, acre for acre, for the 14,000 acres?—Yes; I understood so at the time the agreement was made by Dr. Pollen.

153. *Sir G. Grey.*] Is there any law to sanction that?—Under the Land Claims Settlements Act it is provided that the Government may exchange rural land for other rural land in order to meet such a case as this.

154. What is the date of that Act?—1854, I think.

155. *Mr. Wakefield.*] Was it to be acre for acre, or a valuation?—Acre for acre, I think.

156. *The Chairman.*] Will you point out the land which Morrin Brothers acquired?—It was not included in my purchase.

157. Will you state the reason why it was specially excepted?—Because the Natives did not choose to sell it to me. The Natives would not sell.

158. Why do you think the Natives would not sell it to you?—Simply because they did not offer it. I never asked them for it, nor they me to buy it.

159. How do you know they would not sell?—They told me the boundary was to go there [points to tracing]; consequently it was never in my block. They said, "We will keep this piece."

160. Do you know what Morrin Brothers paid for this land?—I do not know whether 3s. or 5s. an acre—something like 5s. an acre, I think.

161. Was the block Morrin purchased included in the Proclamation under the Immigration and Public Works Act?—It was excluded from the Proclamation. [Government Gazette, 1874, produced. Witness showed it was not included.]

162. Will you point out where Captain Beadon's land comes to?—[Witness points to tracing.]

163. Do you not think that allowing Mr. Whitaker to acquire this land will complicate matters for Mr. Beadon?—My opinion is, that Captain Beadon's claim is not worth twopence.

164. *Sir G. Grey.*] Would allowing Mr. Whitaker to acquire this land interfere with the settlement of Captain Beadon's claim, if ever he established it?—Certainly it would, and the Government purchase would be just the same.

165. *The Chairman.*] You have transacted business for Mr. Whitaker?—I have assisted his interpreter to do it, to get my own purchase clear. My commission is £3,000 on the 200,000-acre purchase; and I am keeping myself out of my money if I do not assist. I am not Mr. Whitaker's agent. I have made no charge, and am to receive nothing from him for anything I have done in the matter.

166. You have been in the habit of doing business for Mr. Whitaker, and Whitaker and Russell?—No, excuse me. Mr. Russell has hundreds of transactions with which Mr. Whitaker has nothing to do. I have done business for Mr. Russell, but none for Mr. Whitaker, except assisting in this matter.

167. That is Whitaker and Russell?—Yes; Russell, of Whitaker and Russell.

168. Taking this 18,000 acres and this 14,000 acres out of that 200,000 acres, do you consider the remainder of the land is not seriously impaired in value by 32,000 acres of the best land being taken out?—If the Government never had that 32,000 acres it cannot impair what they never had. If the Natives will not sell it to them, it cannot impair the value of the remainder.

169. Are you not aware that the Government might have become the purchasers?—If they had not agreed that it was to be cut out of my purchase it might have been acquired by the Government. My own idea of the matter is this: that if we had not made that arrangement we never would have got any land, if I had not made this arrangement about the exchange.

170. *Mr. Stevens.*] Are we to understand that the Government have left the matter entirely to be settled as a matter of ordinary business between Mr. Whitaker and Tarapipipi?—Yes.

171. From what date?—From after the Act was thrown out of the Legislative Council in 1875.