

SESS. II.—1879.
NEW ZEALAND.

SUM OF £300 PAID TO MR. SIEVWRIGHT
(CORRESPONDENCE RELATING TO THE).

Presented to both Houses of the General Assembly by Command of His Excellency.

COPIES of AUDIT MINUTES, dated 30th July, 1879, upon requisition by Mr. HOANI NAHE for £300 to defray Legal Expenses, West Coast Natives.

THE Public Revenues Act imposes on all persons receiving or holding public moneys such obligations in respect to the rendering of accounts, &c., as make it very undesirable that advances should be made to Ministers of the Crown.

Assuming it to be the intention of the Government that the money applied for in the requisition should be under the sole control of the Hon. Mr. Nahe, it is respectfully suggested that that object can be attained, without the inconvenience to which reference has been made, by making the advance to some officer of the Government, with instructions to issue it in such sums and in such manner as the Hon. Mr. Nahe shall direct.—C. T. BATKIN.—3/7/79.

IT was expressly agreed with the Premier that imprests were not to be issued to Ministers personally but to their Secretaries.—J. E. F G.—3/7/79.

MEMORANDA.

MR. LEWIS.—*Re* imprest of £300, authorized to be advanced to the Hon. Mr. Nahe as contributions towards defence of Native prisoners. To meet the difficulties raised by the Audit Department you had better take the imprest to yourself, paying the same in such a manner and to such persons as the Hon. Mr. Nahe may direct. Please attend to the thing at once.—JOHN SHEEHAN.—1/8/79.

REQUIRED the sum of £300 sterling, as an advance for payment of legal expenses in connection with West Coast Natives (to be spent under direction of Hon. Mr. Nahe). To be charged to advances, Consolidated Fund.—T. W. LEWIS.—1/8/79.

FILE with my requisition. It has since been arranged that the money had better be paid to Mr. Sievwright direct, so that he may be held responsible to furnish detailed accounts when required by the Audit Department. Native Minister has approved.—T. W. LEWIS.—1/8/79.

NEW ZEALAND Government, Native Department, Dr. to Basil Sievwright.

I authorize Mr. Sievwright to receive the sum of £300.—HOANI NAHE.

This money is wanted as part costs of legal advice to and for the Ngatiawa and Taranaki Natives in regard to their lands on the West Coast.

Approved, for immediate payment.—J.S.—1/8/79.

I hereby certify that, to the best of my knowledge and belief, the foregoing account is true in every particular, and according to authority.—T. W. LEWIS.

Received from the Paymaster-General, by cheque No. 6,239, on Wellington, countersigned this 2nd day of August, 1879, by W. T. Thane, Esq., the sum of £300 sterling, in full payment of the above account.—W. SIEVWRIGHT.

MR. LEWIS.—Will you be good enough to direct how this expenditure of £300 is to be charged?—W. J. MORPETH.—6/10/79.

HON. NATIVE MINISTER.—For your instructions. This payment, I think, should be dealt with in same manner as other amounts paid on account of Maori prisoners. Papers relating to which are before you for consideration.—T. W. LEWIS.—9/10/79.

MR. LEWIS.—I shall bring this matter before the Cabinet before deciding. Please attach letters from Mr. Sievwright, and telegram from Hoani Nahe.—JOHN BRYCE.

HON. NATIVE MINISTER.—Papers herewith.—T. W. LEWIS.

MR. LEWIS.—The detailed accounts referred to in your memorandum of 1st August, 1879, attached, ought to be procured. I should like to be informed as to the actual services for which the payment of £300 was made.—JOHN BRYCE.

MR. MORPETH.—Please write at once to Mr. Sievwright, and ask him to be good enough to furnish, as soon as possible, an account in detail of the expenditure of the sum of £300 paid to him on 2nd August last, as per voucher attached, and the actual service for which the payment was made.—T. W. LEWIS.—10/10/79.

Mr. LEWIS to Mr. SIEWWRIGHT.

SIR,—

Native Office, Wellington, 10th October, 1879.

I have the honor, by direction of the Hon. the Native Minister, to ask you to be good enough to furnish, as soon as possible, an account in detail of the expenditure of the sum of £300 paid to you through the Treasury on the 2nd of August last, as part costs of legal advice to and for the Ngatiawa and Taranaki Natives in regard to their lands on the West Coast, and the actual services for which the payment was made.

I have, &c.,

T. W. LEWIS,

Under Secretary.

W. Sievwright, Esq., Solicitor, &c., Wellington.

Mr. SIEWWRIGHT to Mr. LEWIS.

SIR,—

Wellington, 11th October, 1879.

I have the honor to acknowledge receipt of your communication of yesterday's date, asking me to furnish you, as soon as possible, with an account in detail of the expenditure of the sum of £300 paid to me through the Treasury on 2nd August last, as part costs of legal advice to and for the Ngatiawa and Taranaki Natives in regard to their lands on the West Coast, and the actual services for which the payment was made.

In reply, I beg to state that, as I am employed by, and received my instructions from, Hoani Nahe, and am not employed or instructed by your department or by the Government, I think the proper course is to refer you to Hoani Nahe himself, who procured the sum in question towards costs which he was incurring in connection with Native claims. The money was only uplifted by me as his agent, and by his desire. He can give you the information you ask for; and, if he wishes it, I shall at once supply you with all the information I possess. You have not explained why you desire an account, and it is certainly a peculiar and unusual request to make to a solicitor acting for another person.

The business towards the costs of which the sum was granted has only begun, and, so far as I can judge, it is pretty certain to prove both laborious and expensive.

I have, &c.,

W. SIEWWRIGHT.

T. W. Lewis, Esq., Under Secretary, Native Office.

MR. LEWIS.—Telegraph to Hoani Nahe for particulars of service, and write to Mr. Sievwright that the amount does not appear from the voucher to have been paid to him as solicitor to a private person, but as one who was himself to render the service.—JOHN BRYCE.—13/10/79.

MR. DAVIES.—Please telegraph urgently to Hoani Nahe.—T. W. LEWIS.—13/10/79.
Accordingly.—Telegram No. 909.—G. H. D.—13/10/79.

(Telegram.)

Grahamstown, 16th October, 1879.

The services performed by Sievwright and Rees were to make arrangements respecting the reserves consented to by the Government for the Natives of Taranaki who are now in prison; and, when a Commission is appointed to inquire into the troubles at Taranaki, Mr. Rees and others will act as lawyers for me for Taranaki—for I represented Taranaki; and that is why I asked the Government to show me consideration, and give me money to retain the services of a lawyer for my people of Taranaki.

The Under Secretary, Native Department.

HOANI NAHE.

HON. NATIVE MINISTER.—This is the reply to the telegram sent by your direction to Mr. Nahe. You instructed me not to write to Mr. Sievwright until after its receipt. Shall I write now in accordance with your minute of 13th instant on 79/4122?—T. W. LEWIS.—17/10/79.

Approved.—JOHN BRYCE.

MR. MORPETH.—Please write to Mr. Sievwright accordingly.—T. W. LEWIS.—17/10/79.
W. Sievwright, No. 792.—17/10/79.

The UNDER SECRETARY, Native Department, to Mr. SIEWWRIGHT.

SIR,—

Native Office, Wellington, 17th October, 1879.

I have the honor to acknowledge the receipt of your letter of the 11th instant with reference to the services for which the sum of £300 was paid to you through the Treasury on the 2nd August last, and, in reply, am directed by the Hon. the Native Minister to inform you that the amount does not appear from the voucher to have been paid to you as solicitor to a private person, but as one who was himself to render the service, and to ask you to be good enough to supply the information applied for in my letter of the 10th instant.

I have, &c.,

T. W. LEWIS,

Under Secretary.

W. Sievwright, Esq., Solicitor, Wellington.

Mr. SIEVWRIGHT to the UNDER SECRETARY, Native Department.

SIR,—

Wellington, 18th October, 1879.

I have the honor to acknowledge the receipt of your letter of 17th instant, received to-day, and in reply I can only repeat that I refer the Hon. the Native Minister to my employer, who I do not believe has misinformed or misled me in the matter. The money was voted to Hoani Nahe on his application. Certain it is that I never, either directly or indirectly, applied to the Government for money in connection with the West Coast Native business—never, in fact, knew of an application having been made until I was asked to draw the money; and it is equally certain I never was asked or employed by the Government to advise these Natives, or to obtain advice and legal assistance for them. I must therefore decline to supply any information in my possession unless instructed by Hoani Nahe to furnish it.

I have, &c.,

The Under Secretary, Native Department.

W. SIEVWRIGHT.

HON. NATIVE MINISTER.—For your information and instructions. The Audit Department has full power under the Public Revenues Act to procure whatever information is required to elucidate any public account, and it might be advisable to leave the matter to be dealt with by the Controller and Auditor so far as that part is concerned. Should not the amount be placed on the estimates and a special vote be taken for it.—T. W. LEWIS.—20/10/79.

For Cabinet.—JOHN BRYCE.

REFER to Controller. If he will be so good as to procure from Mr. Sievwright the particulars of the service rendered, I shall feel obliged. It will be seen from the attached papers that I have not succeeded in obtaining particulars myself.—JOHN BRYCE.—2/11/79.

Urgent.—For Controller-General accordingly.—T. W. LEWIS.—3/11/79.

DEAR MR. BRYCE,—

Hunter Street, Wellington, 8th November, 1879.

A matter came to my knowledge to-day which I feel bound to mention, both in justice to myself and the Natives for whom I am acting.

You are probably aware that I have been for some time past acting as counsel for the Maori prisoners now confined in Mount Cook Barracks.

In that capacity I had frequent interviews with the late Native Minister, Mr. Wi Parata being generally present. Whilst remembering that my duty to my clients was the paramount consideration, I always assured him that so far as possible I would avoid embarrassing the Government; that, as I believed the real question at issue to be that of confiscation, I would assist my clients by commencing proceedings in the Supreme Court, for the purpose of testing the validity of the Acts under which the lands had been taken; and that, considering time an important factor in the matter, I would get the consent of my clients to a postponement of their trial.

At one of these interviews, Wi Parata being present, Mr. Sheehan said that Sir George Grey was willing to assist the disaffected Natives with funds for the above purpose.

I told him at once that all such help must be declined, and that the Natives would have no confidence whatever in the proceedings to be taken unless the whole expense was borne by themselves, and the conduct thereof intrusted to lawyers entirely independent of the Government.

Acting under the instructions of a self-constituted Committee of ten chiefs, I prepared and submitted for approval a manifesto in English and Maori [Copy herewith], setting forth to the Maori tribes generally the nature of the proceedings proposed to be taken.

That manifesto was adopted by the Committee, and two thousand copies were printed and distributed throughout New Zealand; subscription lists were circulated in various parts of the colony; and a trust account opened at the Bank of New Zealand here.

From the first, the Committee resolved to decline all assistance from the Government; and when a rumour became current that the Government had supplied funds, the President and Secretary (Tairaroa and Wi Parata) came to me in great consternation, to know if it was true.

At the request of the Committee, conveyed in a formal resolution on the motion of Wi Parata, I retained Mr. Travers, of this city, to act with me in the contemplated proceedings.

To my astonishment, I learnt to-day from Mr. Rees that, through Hoani Nahe, a member of the then Cabinet, who professed to represent the Committee, Mr. Sievwright, of this city, had been employed as solicitor, and Mr. Rees himself as counsel; that, at the instance of Sir George Grey, £300 of the public money was paid over to Mr. Sievwright, and shared with Mr. Rees (nominally as a retainer), and that this payment is treated as a grant in aid of legal expenses to the West Coast Natives.

It is not for me to express any opinion on the propriety or otherwise of these dealings; but on behalf of the Committee of Chiefs for whom I am acting, I wish at once to state that Hoani Nahe's action in the matter was absolutely and wholly unauthorized; that the members of the Committee knew nothing of Mr. Sievwright in the matter, and decline to be connected in any way with the payment of Government money, about which they were not consulted.

It will be my duty to advise them to publish this repudiation in the widest possible manner; but I have thought it right to communicate the facts to you in the first place.

At one time Hoani Nahe proposed to become a member of the Committee, but, having regard to his official position, he afterwards withdrew his name, and declined to take any part in the movements.

I have, &c.,

Hon. John Bryce, Minister for Native Affairs.

W. L. BULLER.

MR. LEWIS.—Please forward for the information of the Controller *re* a payment of £300 made to Mr. Sievwright.—JOHN BRYCE.—11/11/79.

For the information of the Controller.—T. W. LEWIS.—11/11/79.

E NGA IWI KATOĀ,—

Poneke, Akuhata 26, 1879.

Kua tonu au ki te tatou roia ki a Takuta Pura kia taia mai te panui nei, ki te reo Maori ki te reo pakeha, he mea kia kite katoa koutou i te tikanga o tenei mahi.

Na Wi PARATA TE KAKAKURA,

Hekeretari o te Komiti.

HE PANUI TENEI.

Ki nga iwi Maori e whai tikanga ana ki nga whenua i murua e te Kawanatanga i runga i nga whawhai a te Maori ki te pakeha.

Na matou na te Komiti i whakaturia nei hei rapu i nga ture i tangohia ai aua whenua e te Kawanatanga, hei kawe hoki ki te whakawa, kia kimihia mai te tika te he ranei o aua ture muru-whenua, kia tirohia hoki nga mahi a te Kawanatanga. Tena koutou katoa!

Na, kia rongo mai koutou. Kua tae matou ki etahi roia i Poneke ki te ata hurihuri marire i te whakaaro, na, kua whakaatu mai aua roia i nga korero nei:—

Ara, no te marama o Tihema, 1863, i hanga ai te Paremata o Nui Tirene i tetahi Ture, he penei tona ritenga, mehemea ka kite te Kawana kua uru tetahi iwi Maori hapu ranei ki te whawhai i muri mai o te ra tahi o Hanuere, 1863, ka tika kia panuitia e ia nga takiwa o a ratou whenua papatupu, he mea kia tangohia etahi o aua whenua hei whakanohoanga pakeha, a, ka kore rawa he mana Maori i runga i aua wahi e tangohia ana.

Otira, i whai tikanga ano taua ture mo nga whenua o nga tangata kihai i uru ki te whawhai, e taka mai ana ki roto ki aua rohe e tangohia ana, kia ata whakaritea paitia.

Na, kua kite matou i te mahi whakahaere a te Kawanatanga i runga i taua ture, me etahi atu ture ano hoki a te Paremata, kua panui haere ia i nga takiwa whenua ki tena wahi ki tena wahi o Aotearoa, a, e mea ana ia kua riro tika aua whenua i te rau o te patu, ara, i te urunga noatanga atu a nga iwi nona aua whenua ki nga whawhai i muri mai o te ra tahi o Hanuere, 1863.

Na, e mohio ana matou, tera te whakahengia mai e nga iwi Maori taua ture muru whenua me taua tango a te Kawanatanga, engari kahore ano kia kawea noatia ki te whakawa kia kimihia te tika te he ranei o taua mahi, kia rapua mariretia mehemea i whai mana ranei aua ture muru whenua a te Paremata kaore ranei—mehemea kua tika te whakahaere a te Kawanatanga i runga i aua ture kaore ranei—mehemea e tika ana te pupuri noa a te Kawanatanga i aua whenua i te mea kahore i whakanohia ki te pakeha kaore ranei.

Koia matou, te Komiti i whakaturia nei hei rapu i enei mea, ka whakaaro ai i runga i nga tohutohu a nga roia, ko te mea tika rawa me kawe ki te Kooti Hupirimi o Nui Tirene, kia ata kimihia enei take e te Ture, kia kitea tona tika tona he:—

Tuatahi.—Mehemea e whai mana ana nga ture muru whenua a te Paremata o Nui Tirene, kaore ranei?

Tuarua.—A, mehemea e whai mana ana aua ture, i tika ranei te tango whenua a te Kawanatanga mo nga whawhai o muri mai o te 3 o nga ra o Tihema, 1863, kaore ranei?

Tuatoru.—A, mehemea e whai mana ana aua ture, i tika ranei te pupuri pokanoa a te Kawanatanga i nga wahi o roto o aua takiwa kihai i ata whakanohia ki te pakeha i mua atu o te 3 o nga ra o Tihema, 1867, kaore ranei?

Tuawha.—Mehemea kua tika ranei te whakahaere a te Kawanatanga i runga i aua ture e mau pono ai i a ia nga whenua kua tangohia nei, kaore ranei?

Tuarima.—A, mehemea i whai mana aua ture, kua tika ranei te whakahaere mo nga tangata e whai take ana ki aua whenua, a, kihai i uru ki te whawhai, kaore ranei?

Na, ko nga tino putake korero ena i tohutohungia e nga roia hei kawenga ma matou ki te aroaro o te Kooti Hupirimi; otira, tera atu ano te maha o nga korero hei tirohanga ma te Kooti ana tae ki te whakawa, hei whakawa marire i te taha Maori.

A, kua rongo hoki matou ki nga roia, mehemea kahore e tika te whakataunga a te Kooti Hupirimi ki ta matou whakaaro iho, tera e ahei e matou te kawea rawa atu ki te aroaro o te Kooti nui o te Kuini i Ingarangi, kia hurahia ano te whakawa. a ma reira e tino whakaoti mai.

Na, he mea kia pai te whakahaere o tenei whakawa, ko ta matou kupu tenei ko ta te Komiti, hei whakaae ma koutou ki te Kawanatanga, kia kua rawa koutou e hapai patu, kia kua koutou e whakataritari pakanga mo aua whenua, engari me waiho ma te ture e mahi, kauaka te hoari. A, ma matou hoki ma te Komiti e whai kupu atu ki te Kawanatanga kia mutu rawa inaianei tana wea me tana mahi i aua whenua, kia waiho ano ma te ture e rapu, kia kitea te tika te he ranei.

Heoi, he panui atu tenei na matou kia mohio katoa koutou, i runga i te whakaaro kotahi a nga iwi kia mahia paitia te ritenga mo enei whenua, ka timata tonu inaianei ta matou kawea i enei putake korero katoa ki te aroaro o te Kooti Hupirimi kia whakawakia.

Na matou, na te Komiti,

Na Hori Kerei Taiaroa, M.L.C., Tumuaki.

Na Wi Parata Te Kakakura, Hekeretari.

Na Wi Tako Ngatata, M.L.C.

Na Mokena Kohere, M.L.C.

Na Henare Tomoana, M.H.R.

Na Hori Karaka Tawhiti, M.H.R.

Na Ihaha Tainui, M.H.R.

Na Maihi Paraone Kawiti.

Na Keepea Te Rangihiniui, Meiha.

Na Peeti Te Aweawe.

[TRANSLATION OF MANIFESTO.]

To the Maori tribes interested in the lands confiscated by the Government in consequence of the wars between the Maori and the European peoples.

WE, the Committee appointed to inquire into and to take proceedings for testing the validity of the laws under which the said lands have been confiscated, and are now claimed by the Government, and to inquire into and test the validity of the acts done by the Government under the provisions of those laws, send greeting:

Know ye, that we have consulted lawyers at Port Nicholson touching these matters, and we are informed as follows:—

That, in the month of December, 1863, the General Assembly of New Zealand passed a law authorizing the Governor, whenever he was satisfied that any Maori tribe or hapu had been engaged in war against the Government since the 1st day of January, 1863, to declare and fix the boundaries of districts within which the lands of such tribe or hapu were situated, and then to set apart any of such lands as sites for settlement; and, by the said law, every site so set apart was to become the property of the Government, freed from the title of the Native owners of the same.

But it was by that law provided that compensation should be made for the taking of such lands to any of the Native owners who had not been engaged or concerned in the war for which the same had been confiscated.

Now, we find that the Government, purporting to act under the provisions of that law, and of other laws passed by the General Assembly in connection therewith, have created districts in various parts of the North Island of New Zealand, and claim to hold the lands of the Maori people within those districts, on the alleged ground that the said lands have been lawfully confiscated by reason that the owners thereof had been engaged in wars against the Government since the 1st day of January, 1863.

We know that the right of the Government to confiscate those lands, and to retain the same, has long been disputed by the Maori owners thereof, but that no proceedings have ever been taken in any Court of law to test the validity of the Acts of the General Assembly under which they have been taken, or of the proceedings of the Government under those Acts, or the right of the Government to retain any portions of the lands so taken which have not been set apart as sites for settlement.

We, therefore, having been appointed to inquire into these things, have been advised that the proper course for the Maori people who object to them is, to commence proceedings in the Supreme Court of New Zealand, in order that the following questions may be heard and determined by law:—

1. Whether the Acts of the General Assembly authorizing the confiscation of the Maori lands are valid Acts or not?

2. Whether those Acts, if valid, authorized the Government to confiscate any of the Maori lands by reason of wars which happened after the 3rd day of December, 1863?

3. Whether those Acts, if valid, authorize the Government to retain any of the lands within the proclaimed districts, which had not been specifically set apart as sites for settlement before the 3rd day of December, 1867?

4. Whether the proceedings of the Government, under those Acts, have been regular and proper, so as to bind the Native owners of the lands taken?

5. Whether, if those Acts be valid, proper compensation has been made to those who had not been engaged or concerned in the wars?

These are the principal questions which we have been advised by our lawyers to bring before the Supreme Court; but there are many others in connection therewith which will also have to be decided, and all such questions will be duly raised in the interests of the Maori people.

We have also been advised that, if we are not satisfied with the decision of the Supreme Court upon any of these questions, we shall be entitled to appeal to the great Court of the Queen in England, by which the case will then be fully heard and decided.

Now, in order that these things may be properly done, we, the Committee, call upon you to assure the Government that you will not commit any deed of violence, or attempt to assert your claims to those lands by force, and that you will leave your rights to be settled by the law and not by the sword. And we will urge upon the Government, on the other hand, not to proceed with the surveys or to deal with the disputed lands until the law has decided the questions we raise in respect of the same.

And we further make known to you that, acting in the belief that it is your wish that these things should be peaceably done, we intend at once to take steps for bringing all questions touching your claims to the confiscated lands before the Supreme Court.

From the Committee.

Hori Kerei Taiaroa, M.L.C., President.
 Wi Parata Te Kakakura, Secretary.
 Wi Tako Ngatata, M.L.C.
 Mokena Kohere, M.L.C.
 Henare Tomoana, M.H.R.

Hori Karaka Tawiti, M.H.R.
 Ihaia Tainui, M.H.R.
 Maihi Paraone Kawiti.
 Keepa Te Rangihwinui, Major, N.Z. Militia.
 Peeti Te Aweawe.

MR. SIEVWRIGHT has been called upon by the Audit Office to account for the £300. He has not yet done so, and no reply has been received to my last communication to him. The letters are appended for information of the Hon. the Native Minister.—JAMES EDWARD FITZGERALD.—11/11/79.

Seen. I shall be glad to hear result when arrived at.—JOHN BRYCE.—11/11/79.

Referred to the Controller.—T. W. LEWIS.—12/11/79.

MEMORANDUM for MR. SIEVWRIGHT.

THE Controller and Auditor-General finds that the sum of £300 was paid by the Treasury to Mr. Sievwright on the 2nd of August, as part costs for legal advice to the Natives as to their lands on the West Coast. Mr. Sievwright is requested to send to the Audit Office the account of the expenditure of these moneys.—JAMES EDWARD FITZGERALD, Controller and Auditor-General.—3rd November, 1879.

MEMORANDUM for the CONTROLLER and AUDITOR-GENERAL.

IN reply to Mr. FitzGerald's memorandum of the 3rd instant, W. Sievwright begs to refer to correspondence he has recently had with the Native Office on the subject.—W. SIEVWRIGHT.—Wellington, 4th November, 1879.

THE Controller and Auditor-General directs Mr. Sievwright to account to the Audit Office for the public moneys, in pursuance of the powers vested in him by law, without reference to any correspondence which may have passed with other offices.—JAMES EDWARD FITZGERALD, Controller and Auditor General.—4th November, 1879.

MEMORANDUM for the CONTROLLER and AUDITOR-GENERAL of NEW ZEALAND.

MR. SIEVWRIGHT begs to acknowledge receipt of Memorandum No. 345, 4th November, 1879. Mr. Sievwright begs to inform Mr. Fitzgerald that he was employed by Mr. Hoani Nahe, acting on behalf of the Ngatiawa and Taranaki Natives, to prepare a case for the Natives, in view of a Commission sitting on the subject of the disputes between the Natives and the Government as to the Native lands on the West Coast. Mr. Sievwright was not in any sense employed by the Government, either directly or indirectly. Mr. Sievwright was informed that the Ministry, on the application of Mr. Hoani Nahe, had consented to give to the Natives the sum of £300 for legal assistance, as the Government were anxious that the claims of the Natives should be fairly urged. The warrant made the sum payable to Mr. Sievwright, and he drew the money as part payment of the legal costs of his clients; but not in any way as a payment to him from the Government, with whom he had had no communication whatever. Under these circumstances, it is submitted that the £300, having been received on account of his clients for part costs incurred or to be incurred, could not be "public money" within the meaning of "The Public Revenues Act, 1878." Personally, however, Mr. Sievwright has not the least objection to affording the fullest information, and he has telegraphed to Mr. Hoani Nahe, asking his consent. In anticipation of consent being given, Mr. Sievwright is preparing his bill of costs to send to Mr. Fitzgerald, and it will show how the £300 has been expended.—W. SIEVWRIGHT.—Wellington, 5th November, 1879.

THE Controller and Auditor-General begs to thank Mr. Sievwright for his memorandum of the 5th instant, but thinks that Mr. Sievwright is under a wrong impression as to the money in question. It was paid by the Cashier to the Treasury, who now seeks credit for the expenditure out of his imprest. This credit the Audit Office are unable to give, as the voucher conclusively shows that the money was paid to a solicitor as part payment of costs for legal advice to Natives. The payment was authorized by the Native Minister and another member of the Executive Council, Mr. Nahe; but has not been charged to any vote or other authority of Parliament. It still remains as public money issued on imprest, and not accounted for; and, under the 76th section of the Act, is a debt to the Crown by any person into whose hands it may come until the imprestee is discharged by the Audit Office. Mr. Sievwright will no doubt perceive that, with this explanation, the Audit Office is acting strictly within its duty and powers in requiring an account of the expenditure of the money in question on the service for which it was issued.—JAMES EDWARD FITZGERALD, Controller and Auditor-General.—6th November, 1869.

MR. SIEVWRIGHT begs to acknowledge Mr. Fitzgerald's memorandum of this date, and to forward, as requested, his bill of costs *re* the Ngatiawa and Taranaki Native claims. It has been ready for some days, but Mr. Sievwright had asked Mr. Rees to send a memorandum of work done by him to accompany the account, but it has not yet been received. Pinned to the account Mr. Fitzgerald will find the two receipts by Mr. Rees.—W. SIEVWRIGHT.—Wellington, 14th November, 1879.

RECEIVED retainer and fee from Mr. Sievwright on account costs for Ngatiawa and Taranaki Natives, £150.—W. L. REES.—2nd August, 1879.

RECEIVED from Mr. Sievwright the sum of £150 on account fee for Natives, Taranaki—W. L. REES.—Wellington, 4th August, 1879.

Mr. HOANI NAHE, DR. to W. SIEVWRIGHT, Solicitor, Wellington.

		£	s.	d.
1879.				
July 18.	Long meeting to-day with Mr. W. L. Rees, when he explained that it was proposed that a Royal Commission should sit to inquire into and deal with the claims made by the Ngatiawa and Taranaki Natives upon the Government; that you, on behalf of the Natives, wished to act for the Natives, but that he had stated to you there must be a solicitor in Wellington to act along with him; that he had suggested I should be asked to undertake the work; and that you were to see me on the subject. I promised to consider the matter and see him again		1	11 6
„ 28.	Various meetings with Mr. Rees up to this date on the business, when I informed him that I was willing to act as solicitor with him as counsel, but that I would not advance funds for conducting any such extensive inquiry; whereon he stated that he had stipulated for payment of a considerable fee before he would act, but that you were arranging to get some aid from Government, and were otherwise raising funds towards the costs to be incurred		3	3 0
Aug. 1.	Meeting with Mr. Rees to-day, when he informed me that you had arranged to get a sum from Government towards costs, and that it would be paid to me to-morrow; that you had called for me on this business, but missed me; and that you would see me again		0	6 8
„ 2.	Attendance to-day at the Treasury, when a cheque for £300 was given me towards costs		0	6 8
	Attendance on Mr. Rees to pay him as desired on account retainer and fee		0	6 8
	Paid him per receipt		150	0 0

1879.		£	s.	d.			
Aug. 4.	Meeting with you and Mr. Gannon and Mr. Rees to-day, when you instructed me to pay the £300 to Mr. Rees	...	...	...	0	13	4
	Attendance on Mr. Rees to pay him further	...	...	...	0	13	4
	Paid him per receipt	...	...	...	150	0	0
„ 4, 5.	Much occupied both these days with Mr. Rees, going into the business particularly, procedure not to be followed, parliamentary papers, books, Acts, &c., to be consulted, &c.	...	...	...	5	5	0
„ 5, 23.	Long attendances between dates, consulting the Appendices to the Journals of the House of Representatives for information as to the history of the transactions and the circumstances out of which the claims have arisen. After considerable trouble,						
Sept. 3.	I procured a set of the Appendices and continued inquiries, making notes and references for use. A great deal of time spent late and early—say	...	...	...	52	10	0
	Paid for Appendices to Journals, &c.	...	...	...	13	0	0
„ 10.	Drawing brief (only partially done)						
					<hr/>	<hr/>	<hr/>
					£377	16	2

		Cr.					
Aug. 2.	By cheque from Treasury	...	...	...	...	£300	0 0

REFERRED to the Hon. the Minister for Native Affairs for his information.—J.E.F G.—15/11/79.

HON. NATIVE MINISTER.—I have been directed by the Native Expenditure Committee to forward these papers to the Committee to-day.—T. W. LEWIS.—15/11/79.
Seen—John Bryce.—15/11/79.

SIR,—

Native Office, Wellington, 15th November, 1879.

I have the honor to enclose herewith, as requested, the documents noted in the margin (copy of voucher for £300 paid to Mr. Sievwright as part costs of legal advice) for the information of the Native Expenditure Committee.

The Hon. the Chairman,
Native Expenditure Committee.

I have, &c.,
T. W. LEWIS,
Under Secretary.

By Authority: GEORGE DIDSBUXY, Government Printer, Wellington.—1879.

