

itself; but this question belongs to the other branch of the Legislature, which has to consider the matter from a different point of view.

*The Chairman*: I do not wish to stop any question, but I wish the interpreter would tell Mr. Pere that these gentlemen are here for the purpose of stating facts; the members of the Committee will afterwards come to a conclusion as to the meaning of those facts. The Hon. Mr. Mantell is not examined for his opinion.

*Mr. Pere*: I thought I should be justified in asking the Hon. Mr. Mantell his idea, arising out of his own knowledge of the circumstances. I wanted him to state what his opinions were from what he himself has seen and heard.

*The Chairman*: I still state that he is here for the purpose of speaking of facts, and not giving opinions. The Committee itself is here for the purpose of deciding upon these facts.

*Mr. Pere*: Will it be in order, his stating what his opinions are?

*The Chairman*: Certainly not.

*Mr. Pere*: The two things are one. I think if any person has knowledge he should state that knowledge; thought—the means of knowledge—is the same thing.

*The Chairman*: You will have plenty of time by-and-by of considering. The Hon. Mr. Mantell is not a member of this Committee.

*Mr. Pere*: What was the Hon. Mr. Mantell sent for?

*The Chairman*: To state facts; not to give opinions.

*Mr. Pere*: Then there was no use his coming.

224. *Mr. Bryce*.] You have been examined as to your opinions, Mr. Mantell. I do not go in that direction, for I agree with the Chairman that it was altogether improper; still, from one or two of your answers I gather that the Government is still holding a portion of those rents for some purpose—[*The Chairman*: Is not that a question of opinion?] It only goes to one point. The witness answered the question put to him twice, and succeeded in conveying his impression?—I will tell you what I would deduce from these papers: it is that the whole of the money, with the exception of £60, more or less, was paid by Dr. Featherston to other Natives than the owners of Himatangi. All that stands on record. I do not suppose that £500 rests in the hands of the Government; only that the Government is liable for that amount and interest to the Natives, and that it appears to have only £60 in hand.

225. Was the ownership of this block investigated by the Native Land Court?—So it appears from the returns laid on the table of the Council by order of the Council.

226. Do you know the amount of land awarded by the Court in this Himatangi Block?—I think the Court ordered 5,500 acres or 6,000 acres, or something of that sort.

227. In the Bill which was afterwards passed by Parliament, and with which you are, no doubt, acquainted, was that quantity of land increased?—Yes, to 11,000 acres, which was the whole amount of the Himatangi Block, as I understood. They doubled the quantity of land awarded by the Native Land Court. That simply gave effect to the promise given by Sir Donald McLean that the whole should be given back.

228. Can you refer to any documentary evidence in support of that statement?—I could if I had time; but what has recently refreshed my belief in that direction is the memorandum by the Minister of Native Affairs: "There is not much room for doubt that the promise was made by Sir Donald McLean that the whole of the land should be given back." That should be in the record, and it might not be inconvenient to refer to it now. That passage is a quotation from a paper read in the discussion in the Legislative Council upon the Bill. It is a quotation from a minute of the Minister of Native Affairs at the time.

229. Then Parliament, acting as a Court of Appeal from the Native Land Court, followed the award of that Court without any other investigation than that a promise had been made by Sir Donald McLean? I am putting that in form of a question?—I cannot say that I give a direct assent to that. I do not know in what way the Legislative Council acts as a Court of Appeal from the Native Land Court. They came to a conclusion to award a larger amount on the authority of the Minister of the day.

230. Does it not strike you as being a liberal act on the part both of the Minister and Parliament?—I will tell you exactly how it appeared to me by referring to papers and quoting from documents read before: "If it were found on inquiry that this money—£500—was really due to them, provision should have been made for its payment in the proposed Bill. An act of grace such as they proposed ought not to be made contingent."

231. In reply to a question a little while ago you stated that it was not improbable that Government sold improperly 700 acres belonging to Himatangi. That was why I asked you—apart from the question of rents—whether it was not a liberal act to double the award of the Native Land Court?—It is a matter of opinion; but I do not hesitate to say that it was a liberal act and a proper act.

232. Then, may I ask why you thought it was probable that the Government sold improperly 700 acres of land belonging to the owners of this Himatangi Block?—Because, as far as I could see, it appeared to me to be the practice of all Governments to sell land recklessly, not caring whether the title was good. I do not know that there is anything in regard to the ownership of this Himatangi Block that would except it from what is a common fate.

233. I need not point out that that is a very wide imputation. I would ask you whether you see any special reason for it in connection with this block itself?—None.

The Hon. Dr. POLLEN examined.

234. *The Chairman*.] Can you give the Committee any information upon this question?—I got the summons to attend the Committee only a few minutes since, and I have not had time to refresh my memory as to the whole of these affairs; but I will tell the Committee all that I can recollect of