

obligation to which it had assented? Yes, that appears to me to be a true description of the fact.

20. Mr. Mackay: Neither the Government nor the New Zealand Company having expended any funds in the purchasing of the land or towards the colonization of the large extent of country yet to be acquired from the natives in the Southern portion of Auckland and the Northern portion of Wellington, do you not think that in fairness to the rest of the Provinces of the colony which have yet to acquire land from the natives, that this interior region should not also pay its quota of the Company's debt? I think that all that portion of land described which is comprised within the boundary of the Company's settlements as defined by themselves should be subject to their share of the Company's debt, but not the land, which they never had or had a right to select from. It appears to me that the Company's debt should be paid by those who have received the land for which that debt is the purchase money, and as no portion of the proceeds of that land is to be devoted to any object within the limits of the Province of Auckland, to charge the Province of Auckland with any portion of the debt would compel that Province to pay the part of the purchase money of an estate from which they can derive no benefit whatever. In this answer I beg to express no opinion as to the general question of the justness of the Company's claim.

21. You gave an extract from a despatch respecting the boundary line between New Ulster and New Munster, and afterwards stated that the boundary in question was fixed with a view that the former Province of the North Island which is densely inhabited by the natives, should not participate in getting representative institutions. Do you not think that the boundary line in question was with the intention of making a boundary in which a particular line of policy was necessary to be adopted with reference to the aborigines, and not in any way with reference to the future division of the Province into various new settlements when required? No line of policy that I am aware of was ever drawn, but Sir George Grey when authorised to add New Plymouth to the Province of New Munster suggested that if representative institutions were to be soon granted to New Munster, that it might be convenient to exclude New Plymouth as containing a large native population.

22. By Mr. Macandrew: Putting the claim of the New Zealand Company and its interests entirely out of view, and looking at the debt as a condition imposed upon Auckland by the Imperial Parliament in consideration of its handing over to that Province the control of its waste lands, do you consider, taking that view of the case, that Auckland should be exempted? The debt was not a condition imposed by Parliament as the price of handing over the waste lands of the Crown to the Colony. The debt is the purchase money agreed by the Government to be paid for land situate in the southern provinces of New Zealand, and I should conceive that those to whom the estate was conveyed should alone pay the price of it.

23. By Mr. Porter: In Sir George Grey's despatch to Sir John Pakington of the 9th May, 1853, there is the following passage—"Is the native population also formal promises have been made by the representatives of the Crown, that the land fund should be expended on certain objects for their benefit and for that of the settlement; and when the chiefs have objected to part with large tracts of their land required by the Crown, for the inconsiderable sums offered to them, they have been induced to do so by being assured that these sums were not the real payment for the land, but that the true payment would be the future expenditure of the land fund to be realized from the sale of those lands upon objects specified to them, which would promote alike their own benefit and that of the European population. If therefore one-fourth of the land fund of this settlement is diverted from the promised objects and paid to an absentee land company, which body the natives have for many years regarded as being hostile to their interests, there can be no doubt that serious discontent will be created amongst them." Does not this appear to be an important feature in the case? It is an important feature in the case, I am aware that such representations have constantly been made to the natives in purchasing their lands, and that it would now be a breach of faith with them to disregard the assurances which have been given to them. I should like to add that the desultory nature of my evidence may be attributed to the fact that I was not aware that it was intended to examine me as a witness till an hour and a-half before I was called on to give my evidence, and that no list of questions has been furnished me, as I believe is usual, nor have I had any intimation of the nature of the questions before they were put.