

Government. All the owners did not sign the transfers. I believe Judge Rogan only was present on the occasion, and not the Assessor, consequently it was not the action of the Court (section 59; also "Native Lands Act Amendment Act, 1874," section 5). The *New Zealand Gazette* containing the Proclamation is the 4th May, the Proclamations being dated 18th April, 1876. After this transaction with Cooper, the same Natives were quite ready to complete the transaction with me.

Hepeta Maitai met me on the 21st July, at Gisborne. I knew that he had signed the deed to Cooper, but I did not know then that the memorandum had been indorsed. Hepeta told me the majority of them had taken money from Cooper and signed to him. I told him I regarded their action as having no effect, and that I should call upon him to complete his agreement. When he found I was willing to complete the transaction, he became anxious to get some money, said he was going to Napier, and had not enough. My plans of the land on the parchment deeds were at Tolago. Had I had them, I should have got him to sign and paid him the balance due to him, but as it was, and he being a leading man, I paid him two small sums (£4 and £5) upon two of the blocks. He signed the memoranda in Maori (now produced), in the presence of Dr. Nesbitt, R.M. Hepeta Maitai made no offer to refund the money I had advanced. After that I got the deeds, and another Native came down (Arapeta Rangiuia), and to him I paid the whole amount due to him on one block, on the 14th August. On 15th August I received a telegram from Mr. Gill, recommending me to make no further payments for these blocks. Since that time I have made none. I had informed the Government on the 20th of what had been done. I put in Mr. Gill's telegram, also Mr. Clarke's, of 27th July. I wrote to Mr. Locke twice, on the 10th and 14th March, the second being written after I had conferred with him. [Letters read and put in.] I also put in a letter to Captain Porter from myself, on 16th August, also his reply of 17th. I shall bring evidence to show that this land was purchased by Messrs. Read and Cooper. I put in also my letter of 21st July to Dr. Nesbitt, Trust Commissioner, I being then in ignorance of what had been done by the Court. I also put in declarations showing that the sale to Government were matters of public notoriety, by Robson and Teasdale, 16th August, 1876.

The next subject is Mangarara No. 2. \* [Mr. Wilson read his letter 48-75, 29th April, 1875, as evidence.] That letter expressed the state of the matter, so far as I knew at the time.

Mr. Wilson being fatigued, the inquiry was adjourned at this stage, being fifteen minutes to 5 p.m.

SATURDAY, 4TH NOVEMBER, 1876.

The Commission resumed at 10 a.m.

[Mr. Wilson's evidence continued.]

With regard to my statement that Mangarara No. 2 is a part of a larger block over which an interlocutory order was given, &c., I do not now believe that to be correct. I do not think Mangarara No. 2 comes within the scope of the interlocutory order. I will give my reasons presently. The correspondence in the hands of the Commissioners shows my transactions with Captain Read. The Paterangi Native mentioned in my letter as having denied signing to Read has since told me he would not sign to Mullooly either. This would make only three vendors to Mullooly instead of four, as stated in my next paragraph. That man has since sold to the Government, so that Mullooly would have three-eighths, and the Government five-eighths.

Upon an application to the Court here by Raniera Tuoroa, to have the case heard again in the early part of 1875, no information could be obtained from the Court. The party interested was not confined to the eight Natives mentioned in the interlocutory order. They represented the owners under the old Act. The Natives told me they wrote to Judge Munro, who heard the case. I saw the answer they got. I do not know where that answer is now. It was from Judge Munro. It informs them that an interlocutory order had been given, requiring an after survey. I refer the Commissioners to the interlocutory order (certified copy) in their possession.

The pencil line marked by Judge Munro has never been cut on the land until within the last six or eight weeks. On 19th September I was informed by Mr. Baker that the cutting of the line had been ordered by Judge Rogan. On the same day I informed the Under Secretary by telegram. [Telegram put in.] I think Mangarara No. 2 was surveyed for Captain Read, I believe by Mr. Drummond. I bought the survey in April, 1875, with Mr. Baker's approval. The plan had to be corrected before Mr. Baker would pass it.

The Native petition to the Government respecting this block, 27th September, was sent in consequence of Judge Rogan having informed the Natives that the interlocutory order would be acted on. I afterwards asked for information as to the proceedings on that occasion, but Mr. Woon could not let me see the records without the Judge's consent, and he was absent.

[References to cases on law of question relating to interlocutory order—Parliamentary Papers, H. 18., 1874, pp. 5, 8, 9, *re* Himatangi Block. The Commission decided that legal argument as to a decision of the Land Court would be outside its functions.]

I now give my reasons for thinking Mangarara No. 2 is not included in Uawa No. 1 because the Chief Clerk has said (see telegram) that it would not be included in the certificate. Judge Munro's line formed one of the limits of Uawa No. 1 Block—his order was for 700 acres—but the block between his line and the sea and river contains 1,114 acres, comprising 700 acres and 250 township and 164 Mangarara No. 2. Uawa, 250 acres, passed the Court about March, 1875, separately. The impression was that the 164 acres formed part of the 700 acres, from the whole area being coloured similarly on the map.

I go now to my later charges of irregularity and of inaccuracy in the list of names inserted in titles, as in the case of Motu. I read my letter 173, 30th September, 1875, to Mr. Clarke. [Letter read and put in with list attached.] I produce advertisement, from *Poverty Bay Standard*, of Court to be held on the 10th October, 1876, for Panapa Waihopi, Waingaromia No. 2, &c. That Court was held

\* Copy not put in; original under reference to Chief Judge, Auckland.

Appendix,  
Nos. 26 and  
27.

Appendix,  
Nos. 28 and  
29.

Appendix,  
Nos. 30, 31, 32,  
33, and 34.

Appendix,  
Nos. 35 & 36.

Appendix,  
No. 37.

Appendix,  
Nos. 38, 39,  
and 40.