

1875, Mr. Locke came to my private rooms. He said, "Why, Mr. Rogan, this man, Cooper, is going on in such a state that I do not know what is to be done." I said, "What have I to do with Cooper? What has he been doing?" Mr. Locke explained to me that Cooper had surveyed Waingaromia, a block of land that the Government was very anxious to get. Mr. Locke did not know what Mr. Wilson was doing, and he asked my opinion as to the desirability of seeing Messrs. Wilson, Cooper, and Captain Read as to the expediency of buying out Cooper's interest on behalf of the Government. I understood that Read had advanced money to help Cooper. I approved of the proposal. I have worked together with Mr. Locke for years, and have always found him a highly successful negotiator with the Natives. Mr. Locke returned in the evening, and told me he had seen Read and Wilson. He afterwards told me that he could not get Mr. Wilson to do anything, and that the negotiation had fallen through. Some time before this, Hoani Kewa, Pita te Huhu, and a number of claimants for Waingaromia were continually urging me to hear their claims to that land in accordance with the *Gazette* notice for the 18th June. I was informed by Mr. Locke even at that time that Mr. Wilson was negotiating with the opposition Natives at Tolago Bay for lands overlapping this block. Eaffie had completed his survey, and sent in his maps. Finding the great discrepancy between the maps and the *Gazette* description, I raised an objection to hearing the land under that form. The case having been called was adjourned, and the subject was discussed in the office during a temporary cessation of the Court. I remember Cooper meeting me, and complained that he had sent other notices to Mr. Locke, containing a different description of the land, about two months previously. The claim that was actually gazetted was enough to justify me, as Judge of the Court, in hearing all the blocks under the name of Waingaromia. I say so merely because of the name; the description of boundaries is more a matter of form. I have never known the description correspond with the maps. But I was aware that Mr. Wilson was requiring a survey overlapping this country. I told the applicants I would hear Waingaromia under certain conditions: "As these lands are surveyed, if you will go to Mr. Baker's office and write out a description of the separate blocks, I will send on a telegraphic message to Auckland describing these boundaries." A question of time arose. I was to leave here for a Court at Napier at a particular time. By arrangement with these people and others the 29th July was fixed. Several days elapsed before I could get a description of the boundaries. On getting them I sent to the Chief Judge a telegram (9th July). [Reply of the Chief Clerk produced.] On the 29th a letter from Henare Potae and a large number of Natives was read. He knew the circumstances. It was decided, notwithstanding, to hear the case of the claimants by way of preliminaries, and that the Court would then decide what to do in the case. On calling for objectors, there appeared Henare Ruru, Wi Pei-whairangi, Ruka te Aratapu, Arapeta Potae, Herewaka Poata (Mrs. Porter). These were connected with the party with whom Mr. Wilson was dealing. Another set of opposition claimants of Turanga appeared. These are all leading persons. The Court then suggested that the case should stand over for two weeks. The next day the Court decided that the application for adjournment by the objectors should be entertained. The movements of the Court were announced to the Natives, and the Court adjourned, the time not being fixed. Captain Read had no knowledge whatever of the telegram sent to Auckland. Upon first taking accommodation at Captain Read's house, I made it an express stipulation that if he ever attempted to talk to me of matters coming before me as a Judge I would leave his house, if it was in the middle of the night. Captain Read has never attempted to lead my mind in any direction with regard to any part of my public business. I had not the most remote idea of passing these lands through the Court at that time. I only wanted to get them before the Court. I have had no private interests in lands of any kind since I have been in this district. The interests of the counter-claimants could not be at all prejudiced by the course adopted. The case put forward by the counter-claimants is always of much more importance to the Court than that of the claimants.

Appendix,
Nos. 50, 51,
and 52.

[Mr. Locke was here recalled.]

The boundary of Waingaromia in the *Gazette* stops at a certain point abruptly. After hearing Captain Porter's evidence, I think it quite probable that a written continuation of the boundaries was attached to the printed form of application, and that this might have been rubbed off and lost, but I cannot remember whether it was so. The description in the *Gazette* is unusually abrupt.

It is customary to lodge applications for hearing at the office of the Lands Court. When I first came here as Judge, I tried to induce all parties to adopt that practice, and I wrote to the Chief Judge about it. He replied that the parties had better be allowed to do as they like. Since that we have received notices and posted them, if parties chose to bring them to us. In cases where time was of consequence, telegraphic messages have been sent. I do not see how this can prejudice any one. I do not attach any importance whatever to priority, so long as the parties are all before the Court. If Mr. Wilson had lodged his applications in our office, they might have been telegraphed, if required. They would get no more attention in Auckland from having gone through the office, unless I had asked particular attention for them. The Chief Judge has made no objection to notices sent by telegram.

The reason for holding the Court on the 16th March, with so short a notice, appears in papers before the Commissioners. (See telegrams.) The arrangements were made by Captain Porter. There were no new cases for hearing. It was an adjourned Court, though the time had not been fixed at the former sitting. No *Gazette* notice was required. The Natives had notice before the printed notice of the 14th, which was only a matter of form. The Coast Natives attended, Henare Potae, and many others, on the notice given them by Captain Porter. It is not true that a notice of forty-eight hours was allowed for the Natives who were away at Waiapu, as Mr. Wilson states. There is no pretence for saying that the parties concerned were not properly before the Court. After judgment given on No. 3, the Court was adjourned for the decision of 1 and 2, at Tolago, on 3rd April.

Appendix,
No. 53.

The Commission adjourned at 1 p.m.