

given, when he began to abuse the Court. He says, "After the judgment was given I informed the Court that I had, by law, three months in which to take action in the matter, and the Court told me it was no use my doing the thing; the case had gone against me, and I could do nothing." What really took place was as I have already stated. When he proposed to abuse the Court I stopped him; and when he proposed to abate his manner, and talk of a rehearing, it was then I told him that that was not the right place to talk about a rehearing; that the case was ended, and he had three months in which to make the application.

75. *Mr. Postlethwaite.*] Are records kept of the cases brought in the Court?—Yes; every word of evidence is taken down in the first place by one of the Judges. During that sitting Judge Puckey took down all he thought necessary, and the Clerk took all down.

76. Do those records show the cases where lawyers were engaged, and how many the Natives themselves conducted?—Yes; the names of every one who appeared are given. It shows also the name of the Native agent, where there is one.

77. Do they show how many cases have been decided in favour of those who employed lawyers, and how many by those who did not?—Inferentially that can be got from the records.

78. It can be shown?—Clearly.

79. Was it known at the time this case was brought before the Court that the lawyer engaged in it had offered a price for the land to the petitioners?—I had no knowledge whatever of this until to-day.

80. Did you not know who were the persons in these companies?—I know many people mixed up in the buying of Native land, but how they are associated together I do not know.

81. I think you said it appeared that the Natives had been settled on this land since 1863?—I referred to the various times they had been driven back by the troops. I said 1863, but I am not clear as to the date.

82. *Hon. Mr. Bryce.*] You have used the terms "seller" and "non-seller." Are you not aware that the law takes no cognizance of sales before the investigation of title?—I am. When the first case came on I said publicly that we knew nothing of sellers or buyers, but that, simply for the purpose of convenience, to distinguish between one set of persons and another, we would adopt the terms sellers and non-sellers.

83. I quite understand you merely used the terms for convenience. Still, there must have been something implied; and was there not the implication that negotiations had been going on for purchase, and, in fact, that something had been paid to a portion of the claimants? Was not that implied in the terms?—Clearly. That came out pretty clearly. Non-sellers were allowed to have the pick of the land.

84. I am going to ask you a question to which I attach great consequence myself, and my saying that may perhaps make you careful in answering. I want to ask if you find that these previous negotiations for so-called purchases, which are not recognized by the law, prove an inconvenience to the Court in the investigation of the title?—I think they are the cause of nineteen-twentieths of the difficulties. The Maoris amongst themselves have a pretty shrewd idea to whom the land belongs. There may be cases, such as in this district, where, by reason of mixed occupation, extraordinary difficulty may arise, and they may have doubt themselves—may not have such accurate information as to the ownership. But generally they have a pretty shrewd idea of how things stand, and would not fight so bitterly as they did at Cambridge if they were not supported and urged on by purchasers.

85. When I said that I attached importance to the question, I meant that it might make you more deliberate and distinct, as well as elaborate, in the answer. If, therefore, you can strengthen your reply by instances it would, at any rate, answer my purpose in putting the question?—At Waipawa there were neither lawyers nor purchasers that I know of. There was simply a piece of land going through for the railway. No trouble occurred there. At Rangipo there was only one lawyer employed, and I think I am right in saying there were no purchasers. In neither case did the grievances I have referred to exist so far as I saw. My only other experience as a Judge has been at Cambridge, and I believe there they existed in every case. I believe that in every case that came before the Court at that sitting it was really the matter of the parties who had contracted for purchase more than a matter for the Maoris.

86. You have made a statement which I never heard before, and which I think very remarkable. You said the non-sellers were allowed the pick of the land, leaving the remainder for the sellers?—Not the quantity but the quality.

87. That is just as I understood you. You said that a certain number of acres were awarded to the non-sellers, and the non-sellers had the pick of the best of the quality?—To speak within my own knowledge I will just say what actually took place. Take it that the entire block is awarded in favour of one hapu. Over and above that the Court is empowered to subdivide the land into one or more parts among the representatives of that hapu. What the Court said to them was, We are quite willing to do that, but you must arrange among yourselves outside what are to be the divisions. Generally they came to an agreement as to what the divisions should be. Sometimes they were many days over it, but ultimately they would come into Court with the land subdivided into several pieces, because the non-sellers would have divisions among themselves. In the progress of the negotiations for these subdivisions they would sometimes come before the Court thinking that they were all agreed, whereas difficulties would arise. I have heard it said, and it was invariably stated, that the non-sellers had the pick where they liked.

88. Did that suggest to your mind that the so-called buyers had, in fact, resold to some other persons at an agreed price per acre, which had been paid in full, and therefore the interests of the intermediate purchasers had ceased and become the interests of the second purchasers?—I do not think I have a most exalted opinion of human nature, but anything of that sort never suggested itself to my mind. I was told it was so. I had a theory, and it was this (as I have already mentioned, the