

while thinking this might prevent it being under that section, I advised him to send in application under that section, and get a ruling from the Court. I drafted application and submitted it to Mr. Knight and the Natives. I got their signatures. It was subsequently I forwarded it to Chief Judge, in October, 1891. It was duly gazetted. I acted on behalf of the Natives, and called all leading owners as witnesses. Chief Judge reserved his decision. In February, 1892, I received written opinion, in which he said he wished to refer it to the Cabinet. He said it would need special legislation. He said he would press upon Cabinet to bring in special legislation to meet this case. Subsequently he said it would need special legislation, and it would possibly be brought in next session. I did all in my power to see it was brought before the House. I saw Mr. Rees about it. I explained the state of affairs to him. He expressed sympathy with the Natives and Europeans in the matter. He said if I sent him a memo. he would forward it to the Minister. He promised me all the assistance he could. I most certainly did not tell Rees that the Umutaoroa Natives desired the passing of the Tahoraiti Bill. Umutaoroa was not mentioned in connection with the Bill. Eventually the Bill was passed, and the case came again before the Court in 1892 Act. I appeared on behalf of all parties—the Hawke's Bay Timber Company and Mr. Knight. I was employed by Mr. Smith to negotiate with Ihaia for the sale of his interest in the Umutaoroa.

307. Was anything mentioned to Ihaia or Mr. Smith about the passing of the Tahoraiti Bill in connection with the purchase?—No, nor to Mr. Cadman.

308. Was any mention by Ihaia to you about it?—Never a word to me.

309. *Cross-examined by Mr. Rees.*] I am not aware that the Natives did apply to have the Bill passed. I recollect, after the Chief Judge had informed me of the necessity for the Bill, I informed some of the Natives in Tahoraiti. Hore Herehere is the only one I can recollect. His mother is in each grant of Tahoraiti. I had no other conversation with the Natives about the Bill. I got no consent of the Natives to the passing of the Bill; but at the hearing before the Chief Judge the Natives showed their desire to get the matter put right. I did not get their consent to the passing of the Bill. As to the Europeans, I only spoke to you. I do not remember speaking to either Mr. Smith or Mr. Cadman about it. I think I received a draft of the Bill from Mr. Gilbert Mair. I took no other part than what I have said in the passing of the Bill. I look to the Natives to pay me for my services on the first application. I remember an application being made by the Natives to be admitted into the Umutaoroa Block, under Equitable Owners Act. I think it was after 1889; I think, in 1891. I appeared in opposition to the application of the Natives for Mr. W. C. Smith. I was instructed by Mr. Smith alone. I did not know Mr. Cadman at that time. I got paid for that ten guineas. That is signed "Cadman and Smith." Cheque is 24th September, 1891. The view I took is that the Equitable Owners Act referred to "Native Land Act, 1865," and that grant was under the "Volunteers' and Others Land Act, 1877." I cannot say that I was aware that the certificate of the whole block was issued under "The Native Land Act, 1865." Ihaia returned to Tahoraiti. I could not leave, so I had to throw up the negotiations. Ihaia knew I was acting for Mr. Smith. The application under Equitable Owners Act was about the end of 1890 or beginning of 1891.

310. WILLIAM ROSE, examined by Sir R. Stout.] Reside at Danevirke. Land and commission agent. Been so seven years. Before that shepherding and managing station part of the time. In 1891 I applied as valuator to Land- and Income-tax, Road Board and Town District of Danevirke. I tendered. I got Mr. Mackay, who was Chairman of Town Board of Danevirke, and spoke to Mr. Smith to recommend me. I got the appointment. I only know Mr. Cadman last few days; never spoken to him yet. After securing appointment I went round every one of the properties without exception. I had been over them several times previously too. This is the notebook I made up.

311. What did you value first?—Danevirke Special Settlement, Section 1, Block XIV., Norsewood. Block XIII is Waipawa. I commenced 11th December, 1891, to value. I valued Umutaoroa Block on the 22nd December, 1891. I commenced on the 11th November, 1891.

312. The valuation of special-settlement block, Block XIV.: what are the unimproved values you fixed?—The section fronting the railway-station runs from £1 15s. Section No. 1, 72 acres. I only in the bush to fall, not for tendering. The land has been improved. It costs about £1 15s. to get bush down, and 10s. for grass and fencing besides. I valued some further away from station at £1 5s.; that was poor land.

313. Then you valued Waipawa Special Settlement, Block XIII.?—Yes.

314. What values of that?—Just about the same; those next railway-line higher than further back. None up to £2; £1 15s. the highest.

315. You valued Oringi next?—I did; unimproved value £13,520—£1 10s. an acre.

316. How did you value Oringi?—Same as I valued other properties. I went first to Mr. Gaisford, the lessee. I had no difficulty in valuing the place as a whole. It is sheep-station: mostly in grass; but it was the different interests. I saw Mr. Gaisford also. I could not define the Native interests and his interest in it. No difficulty about the total values.

317. Look at Oringi, and compare with Umutaoroa for grazing purposes: which is the most valuable?—Oringi; because highly improved, and all in grass. Umutaoroa would not carry a goat. I valued Umutaoroa at £1 5s. 6d. an acre, and Tamaki at £1 5s. an acre (that is, Native land), and Piripiri at £1.

318. Did you know what Umutaoroa had been valued at three years before?—I did. At £1 an acre. Mr. Campbell was valuer then.

319. How did you arrive at £1 5s. 6d.?—I considered that at that time property was going to rise in value. Before being used for grazing purposes, bush had to be fallen and grass sown. Tamaki is not quite so good as Umutaoroa, but it has totara on it. It is being used by sawmillers.

320. What are improvements on Umutaoroa?—None; in fact, spoilt. A whare or two.