

were about to attend a Parliamentary Committee, that he would delay action in certain cases until their return, so that they might "plead to" the cases, nevertheless gave judgment in the said cases, and thereby broke his promise. The only evidence called by Mr. Wilson in support of this statement is that of Henare Potae, who, so far as he is concerned, completely refutes it. He shows that Judge Rogan was so mindful of his promise that before giving judgment he sent a steamer to fetch Henare Potae from Tokomairo, and that Henare himself always considered the case concluded, and that nothing remained to be done but for judgment to be given, and, if necessary, a rehearing applied for. This charge has entirely broken down.

The next statement to be noticed is that the names of Native owners are sometimes incorrectly recorded by the Court. The case of Motu is instanced, and the list put in showing numerous errors in the names. The attention of the Government was called to these errors by Mr. Wilson in a letter dated 30th September, 1875. Although this is hardly the kind of matter which we thought would be brought under our notice, we think it right to say that these errors have been made, and we think it most desirable that every care should be taken to avoid such mistakes in the records of the Court.

Mr. Wilson says that notice of the Court sittings is sometimes insufficiently given. Some alleged instances of this have already been disposed of. Mr. Wilson further adduces the case of a Court held on the 3rd October, 1876, although advertised for the 10th. The explanation of this is that it was a mistake of the printer, and that no one was prejudiced by it. The Natives interested attended the Court, and no business was done.

Mr. Wilson complains that applications of other parties for the hearing of lands have been telegraphed to Auckland from the Native Land Court at Gisborne, and have so obtained precedence of his, which have been sent direct to the officer in Auckland. The advantage of priority, if any, consists in the circumstance that it enables the applicant to appear as claimant instead of objector. Judge Rogan denies that this is any advantage at all. Mr. Wilson could get his applications telegraphed through as well as other persons if he would lodge them with the Clerk of the Court at Gisborne, instead of sending them direct to Auckland. At all events, Judge Rogan seems exonerated from blame (if any blame can attach anywhere in the matter) by the fact that the practice of telegraphing applications is sanctioned by the Chief Judge in Auckland.

With respect to Mr. Wilson's complaint of undue delay in getting his application forwarded to Auckland, it seems that in some cases they have been returned for correction. Where this is not the case, the cause of the delay has not appeared. It rests with the officer in Auckland, and nothing whatever has been shown to make the Land Court or its officers here in any way responsible for such delay.

By the withdrawal of Mr. Rogan's letter in the *Poverty Bay Herald*, the great bulk of the counter-charges against Mr. Wilson of neglect, and of making indiscriminate payments of public money, vanishes away, since no evidence is brought to substantiate them. One or two attempts have, however, been made to show that Mr. Wilson has made payments which he ought not to have made. Mr. Rogan has mentioned two or three cases in which he thinks Mr. Wilson has paid moneys to those who were not the owners. He gives as instances Parariki and Mangarara No. 2. The greater portion of Parariki has been awarded to Natives with whom Mr. Wilson had not dealt. As for Mangarara, until the legal questions relating to it are settled, it is difficult to say how far Mr. Wilson's payments were judicious. They may or may not be justified by the event. The same may be said of the payments to Hepeta Maitai for the blocks referred to in Mr. Wilson's minute on the payment vouchers of July last.

Mr. Locke, also, has made some remarks on Mr. Wilson's mode of conducting land purchases. The instances mentioned by Mr. Locke were merely examples selected by him at random to illustrate a general opinion which he had expressed. Mr. Locke's opinion on such matters is, doubtless, of great value, and carries much weight; but we cannot pronounce Mr. Wilson guilty of neglect without specific evidence. Our conclusion on this subject is that Mr. Wilson has in some cases paid money on lands which the Court afterwards awarded to other owners than those whom he had dealt with; and that in several instances he has made payments upon lands to which the title afterwards proved to be involved in much dispute and beset by great difficulties. We think that these facts of themselves raise a certain presumption of a want of sound discretion on the part of Mr. Wilson in carrying on his negotiations. Of course, such a presumption may be rebutted, and the event in some of the disputed cases may prove Mr. Wilson's judgment to have been correct; but we cannot help thinking that in some of these cases much risk has been incurred of losing the money that has been paid. But we have had no proof of neglect in these matters, and we should rather say that if Mr. Wilson has made any mistake, it is that of showing too much zeal in his land-purchase transactions, and of insisting too strongly upon some supposed prerogative right of the Crown, to which rival purchasers were expected to give way. The only kind of neglect which we should be disposed to impute to Mr. Wilson is in his absence from the Land Court when his presence might have been of use to the Government interests. We refer more particularly to the Court in July last, when Mr. Wilson's presence might have hindered the memorandum of transfer to Cooper.

We have felt it our duty to reject some evidence tendered by Mr. Wilson as being for one reason or other inadmissible. Upon our invitation, he has handed in a written statement of his reasons why such evidence ought to have been received. This paper is forwarded herewith, accompanied by notes on his remarks. We may here mention an example of the evidence which he wished to produce. In his report Mr. Wilson speaks of evidence in his possession that Cooper had acted on "an assumed and asserted partiality of the Court for Read." We think it not impossible that Cooper may have assumed and asserted all this in conversation. We are inclined to think that he is a very likely man to have done so; but we are surprised that Mr. Wilson should fail to see the injustice of aspersing the character of any one on such evidence as this. It is like an attempt to prove A a thief by calling B to prove that C had once said he was one. Cooper gave evidence before us, but he gave us no evidence of what Mr. Wilson had alleged.

Mr. Wilson speaks in his report of "official information" being available to the persons who were opposing him. In his evidence, Mr. Wilson made a disclaimer of any imputation against any officer in