

Natives, concerned in Parariki and Arakihi, were residing. I was not at that Court. I do not remember what happened upon reading Mr. Wilson's letter of the 14th March. [Mr. Wilson had said he believed Mr. Locke had forwarded the letter to Judge Rogan the same evening.] I was not present at the Court at Makaraka on the 16th March, nor at Tolago Bay in April. With regard to the Proclamation under section 42 of the Immigration and Public Works Act, I think the Land Purchase Officer should see that the Court is informed of the Proclamation, either through the District Officer or by some other means. One reason why I was glad to authorize surveys of Waingaromia was that I had long been wishing to get a road through that block to Waiapu, to open up the country.

In answer to questions by Mr. J. A. Wilson.] My first authority to survey Waingaromia was before the operation of the Act of 1873 (*i.e.*, November, 1873). I think I spoke to Mr. Campion at the end of 1873. I may have given Mr. Campion a list of lands to be surveyed.

When I witnessed the payment of money by you on Parariki, I did not know it by that name; I only knew Waingaromia. That is why I did not warn you that others were after it; I thought it your business to look after that. I recommended you to purchase Tauwharepara. I believe Eaffie only went on with surveys that Campion had begun. I do not remember any instructions in writing. Verbal applications were often made to me for surveys, and I acquiesced verbally. I did not give Cooper authority to survey Tauwharepara.

The Aetangahauti must have known of Pita te Huhu's application to me to have Waingaromia surveyed. It was generally known, and I knew of no objections. When Europeans came to me I saw the Natives afterwards, before authorizing. The surveys were afterwards taken over by Mr. Baker, who would arrange about the payment. I do not remember ever saying it would be better to give £1,000 to Read and Cooper; I will not say I never said so. I did not say that if I did not buy them out the Government would lose the land. I may have said there would be a hard fight for it. I could not have offered Cooper anything on behalf of the Government. You have consulted me, but have not been in the habit of doing so in regard to your transactions. It would have been better had I been more informed on these matters. I do not think you discussed matters with me with that openness and freedom that would have been desirable. Simpson was taken away for the subdivision of the Makauhi Block. He was selected by the Deputy Inspector of Surveys. I dare say I suggested him as a good man for the purpose. Mr. Baker said he would make arrangements to supply his place. I understood that Waingaromia, gazetted 14th May, did not include all the land that was to be heard under that name. I cannot say how far I was correctly informed. I have attended every Court in this district up to last April, when I was suddenly called to Napier by telegram on account of sickness in my family.

About March, 1876, I got a list from you as to your applications, which had not been gazetted.

Questions by Mr. W. W. Wilson.] I have known Mr. Rogan seventeen or eighteen years, and as Judge since 1870. I have never known him act otherwise than a Judge of the Native Land Court ought to act, or to favour any party.

The Commission adjourned at half-past 4 p.m.

FRIDAY, 10TH NOVEMBER, 1876.

[Further questions put to Mr. Locke were answered as follows:—]

Appendix,
No. 45.

Mr. Locke first put in, at the request of the Commissioners, the telegram from Mr. Wilson to Captain Porter, referred to yesterday, and of which Mr. Locke complained to the Native Minister. Mr. Locke first produced a map supplied by Mr. Baker, showing the block called Waingaromia on the map in the hands of the Commissioners, and containing 7,435 acres. The *Gazette* notice of the Court of the 18th June, 1875, was then read, and the description of the block set down for hearing as Waingaromia was compared with the block on the map. The only boundaries defined in the *Gazette* were a part of south-west, south, and south-east boundaries from Mahangarua to Toromiro, thus excluding Waingaromia No. 3.

Appendix,
No. 46.

With reference to my statement in my memorandum on Mr. Wilson's report as to indiscriminate payment of public moneys, I have known small sums of money paid upon large blocks of land without a proper regard, in my opinion, to the regulations of the Native Office, which I now put in (circular with letter of 27th April, 1875). I instance Waipaoa, Matawai (taken from Schedule, G. 10, Parliamentary Papers, page 19), 54,000 acres, and on which £10 has been advanced. I think the payment of such a small sum is of itself evidence that a proper investigation had not taken place, since, I think, the Natives would not have taken such a small sum if there had been a full inquiry. Such an arrangement could only be completed by going into the investigation *de novo*, or if the arbitrary measure of a Proclamation under section 42, "Immigration and Public Works Act, 1871," were adopted, dissatisfaction and difficulty would be caused. I take the next case in the same page—Mangatu Matawai, 46,000 acres. The land has not been surveyed, nor has it passed the Court; the title is disputed. It is entered as agreed to be leased. Also Huiarua, page 18, 39,000 acres, £1,214 paid. That block has not passed the Court. I should say in any case two-thirds of the purchase money is too much to pay before the land has passed the Court. Puketiki, p. 19, 8½ on 7,469. I mention these cases by way of illustration of my meaning. I speak of my general belief.

To questions by Mr. Wilson.] I know Waipaoa Matawai, on Waipaoa River. I do not know the circumstances fully, but I believe the payment was made to an Opotiki Native, and there was no general meeting. The Native's name is Wi Peri. He is a half-caste, and connected with the Opotiki Natives. I think there ought always to be the fullest investigation before the first payment, however small, is made. I do not say it is wrong to buy the goodwill of a European purchaser, who has obtained an agreement from the Natives.

WILLIAM HORACE BAKER, sworn:

I am Deputy Inspector of Surveys for this district. I produce the plans showing Wainga-