

remember giving this notice to Mr. Wilson. I remember showing him a telegram about it that I was going to send to the Native Minister. I have not a copy of that telegram; it was a confidential one. I sent that telegram in consequence of the attempt I understood would be made to pass these lands through the Court. I think it was before I wrote the circular to be sent to Natives at Judge Rogan's request. The purport of that circular was to bring those lands before the Court. The circular was dated the 12th July. I do not remember asking Mr. Wilson if he knew what was going on, nor giving him information about the Judge telegraphing to Auckland. The Court sat on the 16th March, 1876, and again at Tolago Bay in the beginning of April. I think I got there on the 5th, the Court having sat on the 3rd. I saw the Natives about the manner in which the claims should be taken. I found a good deal of confusion amongst them, and I proposed a course to the Court which was adopted. There were some overlapping claims. It was arranged to investigate the overlapping portions separately—Tauwhareparae and Parariki. I acted as District Officer. I had authority to act so at Waiapu, but the Government did not know there would be a Court at Tolago. Mr. Wilson asked me by what authority I was acting, and complained of my acting so. I admitted it was not strictly correct, and I expressed my willingness to withdraw if Mr. Wilson would state his objections in Court.

After hearing Mr. Wilson's evidence on this point:—

The facts are as I have stated them. I did not use the expressions mentioned by Mr. Wilson. It was a benefit to the interests which Mr. Wilson was representing that I should act as a District Officer. I was much abused by the party opposing Mr. Wilson in consequence. Mr. Wilson had the opportunity of explaining his views to me. I think he would not recognize me because I had no proper authority. [Further evidence as given by Mr. Wilson was read.] I deny having said anything to Mr. Wilson or any one else about the Judge having personal animosity to him.

I was acting as District Officer at the Court in July last. I acted by request of Judge Rogan. I was there when judgment was given on Puremungaahua, Ngatawakawaka, and Matatuotonga. Mr. Locke gave me no special instructions as to these blocks. I knew the Government had claims over them. Evidence had been taken on one or two of them before I came. I was there when judgment was given. I do not suppose I informed the Court then. Such information is generally given at an early stage when the maps are produced. I suppose the Court was aware of the state of the case. It was generally known. I heard nothing of any transfer to Cooper. I left on the 15th. I think the Court closed on the 20th. I had other duties to attend to. It was expected that the Court would soon be over, and the Judge said I should not be wanted any more. If Cooper's transaction had come on when I was there, I should have opposed him in the matter. I did not inform Mr. Wilson that I was Acting District Officer.

Questions by Mr. W. W. Wilson. I have known Judge Rogan many years. I have never known him to act in a biassed or partial manner.

Questions by Commissioners. At the Court in April, which I attended the morning after I arrived in the "Luna," Rutene was appointed to appear because Henare was not in a fit state to attend. Rutene made his appearance half drunk. I noticed nothing remarkable in the Judge's behaviour to him. I went to Rutene myself and remonstrated with him. He was not fit to conduct his case. The Judge was very much annoyed, but I heard no brow-beating on his part. I think the Judge had good reason to be annoyed. He has not a great deal of patience with them when they attempt to brow-beat the Court. Rutene's behaviour was of that kind.

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

SATURDAY, 11TH NOVEMBER, 1876.

JOHN ROGAN, sworn:

Appendix,
No. 49.

I am Judge of the Native Land Court for the East Coast District. [Judge Rogan began by reading a written statement of his previous professional career and antecedents, which was then received as evidence. Judge Rogan then read his letter on Mr. Wilson's annual report, 6th September, 1876, to be received as evidence.] The Court at Waiapu, on the 10th March, was adjourned by Captain Porter at my request. At the request of Meiha Ropata and the Ngatiporou tribe an arrangement was made for the holding of a large Court at Wai-o-Matatini. An enormous building was erected, applications forwarded to the Chief Judge, the 10th March was fixed, which corresponds with the *Gazette* notice. Every arrangement was made. In February, before the sitting of the Court, there was a flood unprecedented in the memory of the Natives, especially bad at Waiapu. Meiha Ropata communicated with the Government, Captain Porter, and myself requesting that the Court should be adjourned for at least a month in consequence of the destruction of their food by the flood. This was a sufficient reason. I took a trip by steamer to the Wai-o-Matatini and saw Ropata, and told him I would depute Captain Porter to go there and formally adjourn the Court. [Judge Rogan then read minutes of the Court as evidence. Copy to be furnished.] On the 12th, the day to which the Court was adjourned, I opened the Court myself.

The first time Waingaromia was brought under my notice was about 1873. When Judge Munro arrived here there was no accommodation, and Captain Read offered us accommodation at his house. We were acting as Poverty Bay Commissioners and Judges of the Lands Court. At Captain Read's house was a surveyor named Eaffie, in charge of the place in Captain Read's absence. Eaffie was an old acquaintance of mine as a surveyor. I advised him, as a friend, to have nothing to do with the survey for Cooper and Pita te Huhu, of Waingaromia. He persisted in leaving Read's for that purpose. I only knew unofficially that they were wanting the surveys. I come now to July, 1875. Mr. Locke was at Gisborne. I had great difficulties with the Natives at that time, owing to moneys having been advanced both by the Government and private individuals, by which a great deal of drunkenness was caused amongst the Natives. I was compelled frequently to adjourn in consequence of the Resident Magistrate wanting the Court. I moved the Court to the Masonic Hall, and there was about that time a short interval allowed to allow the papers of the Court to be regulated. About the beginning of July,