

under them. I was sitting under the Act of 1873. I am not certain whether Mr. Locke was present. I did not ask you, when you applied to appear for Government, whether you wished to intimidate the Court. It was not usual under the old Acts for officers to appear for Government in Court except in compensation cases. It has been done in cases where Government had purchased the lands applied for to protest against the Court adjudicating, on the ground that the land had been actually ceded. In such cases there is a clear right to protest, the land having passed the Court before. Waingaromia without number was not gazetted again for 29th July. Judgment was given in it on 10th July, 1875. The Coast Natives were not concerned in it.

[Some discussion here took place on the letter in the *Poverty Bay Herald*, and Judge Rogan declared his wish to withdraw the letter so far as it contained charges against Mr. Wilson, except as to any points, e.g., Parariki, on which he has given evidence. (It is admitted that many of the lands named in that letter have not been adjudicated on.)]

WILLIAM KERR NESBITT, SWORN :

*To questions by Mr. J. A. Wilson.*] I am Resident Magistrate at Gisborne. I have some recollection of telling you that Henare Potae had conveyed either to Cooper or Read—I forget which—a block you had asked me to attest a deed for from Potae to you. I speak only from memory. I remember a conversation at Tolago Bay. I was under the impression that Read had paid the money, and that the conveyance was to him. [Deed shown to the witness.] To Cooper: It was only my impression.

*Questions by Mr. W. W. Wilson.*] I remember once Mr. Wilson in private conversation expressing his dissatisfaction with the manner he was received in Court.

HONE PEETI, SWORN :

I am Assessor of the Native Land Court. I remember sitting with Judge Rogan on Waingaromia 1, 2, 3. I am not quite sure about the month. The judgment on Waingaromia No. 2 was mostly mine. I gave it from the evidence I heard in Court, and the reasons brought forward. I distinctly remember speaking to Judge Rogan before judgment was given. The Court moved from Uawa to Wai-o-matani. After a troublesome investigation about another piece of land, and our decision had been given, I said to Mr. Rogan that I had quite made up my mind to the decision to be given in Waingaromia 2. I was not asked by him. It was my own thought. I told him my thought was that Henare Potae had not the slightest claim to that land (Waingaromia 2). I said the same with regard to Tuakau and Piraupira. The claims Henare Potae advanced for those two blocks were the same as for Waingaromia 2. Henare Potae tried to influence my judgment. At Uawa he called me aside, and said his mind was very dark, because, he said, "I am quite clear my land will go to some other person." I said, "It is not yet known to whom the land belongs." My reason was that the investigation was not complete. Henare Potae said, "I am very frightened of your friend Mr. Rogan, because he will not listen to what I have got to say outside the Court; that was the reason I came to talk to you. If the Court will listen to me I shall be willing to pay money, £50." I asked if that was his reason for being afraid of Mr. Rogan, and mentioning it to me, and if he thought the Court would be doing right in accepting such an offer as that. Henare Potae persisted in wishing me to listen to him, and I told him to stop talking to me. He repeated the same offer to me at the Court at Wai-o-matani. Some days after I informed Mr. Rogan of his offer. At Gisborne, in the month of June, Henare Potae spoke to me again, and asked me what decision we had come to on Waingaromia No. 2. I refused to tell him. I remember Henare Potae being at the Court at Tolago Bay in April, the day the Court opened. The first day he stood up I think he was sober. The next day he was drunk. That was the day he had an altercation with the Judge. He held up a stick and tried to induce the people to put an end to the Court. I do not know of any instance in which Judge Rogan has ever given judgment without conferring with me.

*Cross-examined by Mr. J. A. Wilson.*] I do not think any one else was present when Henare Potae made me the offer of money at Wai-o-Matani.

ROBERT COOPER, SWORN :

*Questions by Mr. J. A. Wilson.*] I am a settler residing in Gisborne. I know the land called Waingaromia No. 2. I got it surveyed under authority. I was at Napier in June, 1873, and I went to Mr. Locke with an application from the Natives, with whom I was in treaty for this land. I asked Mr. Locke to give Mr. Campion authority to survey the block named in the application. Mr. Locke told me he was not appointed District Officer, and he did not know whether he had power to give authority. He said he would make inquiries and give authority for several other blocks at the same time, and would let Mr. Campion know, and if he could give him authority he would do so. I made application for six or seven blocks. I think I gave Mr. Locke two applications, including six or seven blocks. The application now produced (filed in Court, dated 2nd July, 1875) was not one of those I gave to Mr. Locke. The one I gave was in Pita te Huhu's writing. It was like a letter to Mr. Locke. The land was called Waingaromia, taking in Tutamoe and Tauwhareparae, bounded by Parariki. Eaffie began to survey about October, 1874, then had to knock off, and resumed about February, 1875. Eaffie surveyed Waingaromia proper; he began on that and went right on to the other. No one else was associated with me in February, 1875, in having these lands surveyed. Mr. Graham was not finding funds for the purpose. Any funds Mr. Read has supplied to me has been on mortgage of other properties. He has no mortgage on Waingaromia. We have an agreement relating to Waingaromia No. 2; I think about July, 1875. Mr. Read has no interest with me, either directly or indirectly, in Puremunga and the other two blocks adjoining.

*Cross-examined by Mr. W. W. Wilson.*] I have never used any influence with the District Officer or any other official. I have never stated that I have influence with the Court.

*Re-examined.*] If I received information about a proposed visit of yours to Wellington, it was from your clerk. I may have mentioned the answer you would get when you got there. Mr. Wilson's