

24. *Hon. Mr. Fox.*] Supposing the fact was that the Government had paid money upon these blocks which Cooper purchased, would the issue of this proclamation at a period subsequent to his purchase have retrospective action? I think not. I think it should not, especially where purchasers had no notice of the Government paying such money.

25. Then the proclamation would simply be null and void?—I think so, in regard to a proclamation where there had been dealings with the land three and four deep. With regard to No. 2 (even if they say that part of it—I don't believe they intend to say the whole—was included in the Government purchase), it was very gross negligence on the part of the Government to allow the thing to remain under another name without issuing a proclamation stating the right name, so that purchasers might be made aware of it. This proclamation was only issued after there had been dealings four deep in the land. I don't think a proclamation issued under these circumstances could have any effect.

26. *Mr. Taiaroa.*] Are you aware whether Mr. Cooper tendered the duty payable on this land to the Government, and whether they accepted it?—I am aware that he did, and that they took it. I am aware that Judge Rogan certified the duty, and it was paid. The duty was assessed and paid.

27. Do you say that after the Government accepted the duty they proclaimed the land?—They entered a caveat after they accepted the duty, and did proclaim the land afterwards.

THURSDAY, 26TH SEPTEMBER, 1878.

ROBERT COOPER, being in attendance, was examined:—

28. *The Chairman.*] We have received a good deal of information regarding this petition from Mr. Carlile, but the Committee are desirous of knowing whether, at the time the Court adjudicated upon your claim on this land—whether at that time you knew that there was a proclamation in existence affecting it?—There was no proclamation in existence affecting Nos. 2 and 3.

29. This proclamation did affect a portion of the land?—It was under a different name altogether, namely, Tauwhareparae. It was not proclaimed under the name of Waingaromia No. 2.

30. A very considerable block of Maori land has a number of Maori names?—This land was surveyed previously, and called Waingaromia No. 2. The survey had been completed in the General Government Survey Office, so that they could not put it under another name. The Government came along with another survey and overlapped me. It was then decided that the case should be heard in the Native Land Court. The Government bought from one section of Natives: I bought from another section. The Judge awarded the land to the Natives I had purchased it from, holding that they were the rightful owners. The other people were defeated in Court, and did not get in the grant. Then I started my purchase, and completed it. I waited for six months to elapse for a re-hearing. I then applied under the Native Land Act to the Judge of the Native Land Court to vest the freehold tenure in me, and also paid the duty (ten per cent). I had to bring all the Natives to him to be examined. They were satisfied that the land had passed from them to me, and then the Judge gave me these orders vesting the freehold tenure in me until such time as Crown grants should be issued. With regard to Ngatawakawaka, Poremungahua, and Matatuotonga, they were gazetted, but I did not know they were gazetted at the time. I had not seen any Gazettes for months. The Natives told me that the Government refused to have anything to do with them. They came to me to purchase. I was not aware that there was any proclamation over them, or I should not have purchased them. We very seldom see a proclamation or a Gazette at all. If proclamations were published in the newspapers, it would be different; but I don't see the Gazettes once in six months.

31. If you had known at the time that this proclamation existed with reference to the latter block, you would not have had anything at all to do with it?—No.

32. Do I understand you to admit, by saying that, that the proclamation vitiates your purchase?—I don't know whether it does or not. The Government got notice that I had purchased this land, and it was proclaimed. This was after my purchase was completed. They did not take any steps beforehand.

33. How did the Government know that you had purchased?—The Land Purchase Commissioner of that district was there, and I presume he reported to the Government.

34. *Hon. Mr. Fox.*] Who was the Commissioner?—Mr. J. A. Wilson. He wrote a letter to the Natives before I purchased, stating that the Government were not going to have anything to do with these blocks; that he had been down to Wellington to get money to pay the Natives for these three small blocks, and came back without any money. That letter was written to the Natives by G. Wilson.

35. What date was that?—In July, 1876, I think.

36. *The Chairman.*] You state that the surveys were conducted throughout with the consent of the then Government Commissioner of the district?—Yes.

37. Mr. Wilson, is it?—No; Mr. Locke. I should like him called to give evidence as to that point. I had authority from him in 1873 for the survey of that land.

38. Was consent given in writing?—It was given to the Natives in writing. The Government can survey land for Natives, and the Natives make the application.

39. You do not produce these letters? They are in the hands of the Natives?—They are in the hands of the Natives. The application was granted by Mr. Locke for the survey. He was then District Officer.

40. You state that the company to whom you sold began extensive farming operations?—Yes.

41. Was that before or after the caveat was lodged?—Before. Directly I sold to them they started to work, improving the land.

42. There is a very short interval between the time of your sale and the lodging of the caveat?—We did not know the caveats were lodged until such time as we went to register these other documents. I had to wait four or five months to get word from England as to whom the transfers were to be made.

43. Can you state what you paid the Natives for this land?—2s. an acre.

44. What would that come to?—The large block was £2870, and Waingaromia No. 3, £500 odd. When you come to take the expense of paying for survey, licensed interpreter, and lawyers, travelling expenses, &c., it comes fully to 7s. 6d. an acre.