

stand at present it will be of use to the Committee. Each of these blocks has its own particular bearings.

185. I may say that the petitioner has accidentally omitted to include No. 3. He wished to amend his petition, but as that could not be done, the Committee allowed the correction to be taken down by the reporter?—I am not aware that the Government have any interest in Waingaromia No. 1, but they have in No. 2 and No. 3. With regard to No. 2, a great deal of matter in reference to this petition of Mr. Cooper's will be found embodied in a return ordered by the House of Representatives last year. The matter was the subject of an inquiry, and was printed. There was also a petition before the Legislative Council last session, which was printed. They give a large amount of information about this dispute.

186. Just indicate in your evidence where they are to be found?—In G. No. 5, Parliamentary Papers, 1877, Appendix to the Journals of the House of Representatives; and Paper No. 2, 1877, Journals of the Legislative Council. Mr. Wilson, in 1875, entered into negotiations for the purchase of blocks of lands known as Tauwhareparae and Parariki, and in October, 1875, made an application for the hearing of the block before the Native Land Court. Included in these blocks land under negotiation for purchase by Cooper, called by him Waingaromia No. 2. The land came before the Court on Cooper's application, was heard, and ownership decided by the Court. The larger blocks of land, known as Tauwhareparae and Parariki, have not yet been heard.

187. Was heard before the Court when?—In December, 1876. There is an order of Waingaromia No. 2 signed by the Judge, 19th February, 1877.

188. Will you please proceed to state the result of the hearing?—Monies had been paid upon the larger blocks, including Waingaromia No. 2.

189. Paid by whom?—By Mr. Wilson, on behalf of the Government. The blocks known as Tauwhareparae and Parariki were gazetted on May 4, 1876, under the 42nd section of "The Immigration and Public Works Act, 1871," as land required for public purposes. The boundaries of these blocks include the land that passed the Court as Waingaromia No. 2. After the land (Waingaromia No. 2) passed through the Court, applications were made for a re-hearing. It first came in in 1876, an application from Henare Potai and others. The second application came in in March, 1877, and a third came in in August, 1877.

190. All from the same parties?—No; the one in August, 1877, came in from Henare Ruru. The applications were referred to the Chief Judge of the Court, and the decision as to the re-hearing is still pending.

191. These applications were all made within the time prescribed by the Act?—Yes; Henare Potai wrote subsequently withdrawing his application. He also wrote to Mr. Judge Rogan, withdrawing the application. I see Mr. Rogan minuted the application to the Chief Judge as follows:—

"Mr. FENTON.

"I have been asked by Te Potai to retain this reference for a time and not to advise a re-hearing which I was prepared to do. As it is, he has himself withdrawn his application.

"(Signed) J. ROGAN."

12th July, 1877.

Mr. LOCKE, being in attendance, was examined.

192. *The Chairman.*] Can you explain to the Committee how this matter stands. I am told you know a great deal about this subject?—The only evidence I can give is the same evidence I gave before the Poverty Bay Commission two years ago, which will be in the Parliamentary Papers, "Land Purchases in Poverty Bay, G. 5, 1877," Appendix to the Journals House of Representatives. The whole of my evidence and of my memos on the question of how this dispute arose is in the Parliamentary Papers of 1877. I fancy that Mr. Gill has got them with his papers.

193. Could you explain generally to the Committee how it stands. It is desirable we should get some general statement down upon our evidence?—I think in 1873 or 1874 Mr. Cooper asked me if I would allow certain surveys to be made in the Poverty Bay district of lands he was about purchasing; and I remember in the first instance I had not been appointed District Officer under "New Zealand Act, 1873," but was informed by Sir Donald McLean that I should receive the appointment of District Officer for the district. I informed Mr. Cooper that I would not object to the surveys being made; after I received the appointment I consented that these surveys should be gone on with. Shortly after this Mr. Wilson was appointed as Land Purchase Officer in the Poverty Bay district, and he also sent surveyors on the same land to have it surveyed. Mr. Cooper was dealing with the land under the name of Waingaromia; Mr. Wilson purchasing or dealing with the natives for the same land under the name of Parariki. This makes some little difference in the matter. Cooper was dealing with a party of natives headed by an old man, now dead, called Pita Huhu, and Wilson was dealing with another party of natives residing at Tolaga Bay. The two surveys were going on about the same time. I think Cooper's was ahead of Wilson's, as far as I remember. A dispute arose in reference to the overlapping of these boundaries—one block overlapping the other—Cooper dealing with one party of natives and Wilson with another. There was a dispute between the two hapus about the exact boundaries.

194. They were not exactly the same blocks, but they overlapped each other?—One did not include all the other. It was a tribal dispute about boundaries, and therefore they did not agree. The question was then referred to me, and I suggested that both surveys should be allowed to go on, that both parties should survey their boundaries, and that the whole matter should be brought before the Native Land Court, on a plan showing distinctly the disputed boundaries, and that the whole matter should be decided in a quiet way before the Native Land Court Judge. That is as far as I had to do with the commencement of this dispute. When the Court sat Cooper had his surveys ready, and applications for hearing gazetted, which was a great point. Wilson had not got his ready, nor his applications in the Gazette. Therefore it could not be gone on with; Cooper by that means getting the lead. Wilson's block could not be called on, because it was not in the Gazette. That was how Cooper, to some extent, got the lead. I considered that the Government Land Purchase Officer ought to have got his application in the Gazette, so that both could be heard at the same time; but there was neglect somewhere on his part, and Cooper's only was called on for hearing as described in my evidence.

195. Could he not have stayed the judgment of the Court by explaining it?—It was explained, and